

Ex libris Regii Danvelstone.

THE NEVV ACTIS AND CONSTITVTIONIS OF PAR

LIAMENT MAID BE THE RYCHT EXCELLENT PRINCE IAMES THE FIFT
KYNG OF SCOTTIS. 1540.



THE copie of the kyngis grace licence and privilege, grantit to Thomas
Davidson prentar, for Imprenting of his gravis actis of parliament.

JAMES Be the grace of god king of Scottis, to all & sundry quhom
it efferis, greting. For samekill as it is ordanit be us, be ane act maid
in plane parliament, that al our actis maid be us, be publiſt outhrow al
our realme. And that nane our scherciffis, stewardis, ballies, prouest and
baillies of oure burrowis, suld pretend Ignorance thow misknawing
thairof, that our clerk of registre and counſel suld mak ane antentik co-
pie of all sic actis as concernis the commoun weil of our realme, and ex-
tract þ samin vnder his subscription manuale to be Imprentit, be quhat
prentar, it sall pleis hym to cheis. **PROVIDING** alwayis that the
said prentar sall haue our special licence thairto, as in þ said act at mair
lenth is contenit. **¶** We heirfoze hes geuyn and grantit, and be the te-
nour heirof, geuis and grantis our licence, to oure louit Thomas Da-
uidson Imprentar in our burgh of Edinburgh, to Imprent oure saidis
actis of parliament, And dischargis all vther Imprentaris & wittaris
within yis our realme or without, present and for to cum, to Imprent or
writ our saidis actis of parliament, or bring thaym hame to be sauld for
the space of sex yeris nixt to cum eftir the dait of thir presentis, vnder the
pane of confiscatioun of the samyn. Subscriuit with our hand and ge-
uin vnder our priue seill. At Edinburgh the sext day of December. And
of our regne the .XXIX. 3eir.

GOD KEIP THE KING.

DISTICVM.

FAMA secunda ferat, Iacobum ad sydera quintum

QVO regnante, bonum celitus omne uenit.

¶ ALIVD.

PACE bonus, belloq; potens, Iustissimus orbis.

HOC regnum quintus, Rex Iacobus habet.



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THE actis and constitutionis, maid be the rycht excellent, rycht hie and mychty prince IAMES the fyft king of scottis, in his parliament begunnyn and haldin, At Edinburgh the .VII. day of Iunii. THE 3eir of god. M. D. and. XXXV. 3eris.

¶ 20 ¶

¶ The liberte and fredome of halikirk.

Ca. I.



Ad first, IT IS statute and ordanit, that the fredome of halikirk, the Immunitis and priuilegis of the samyn, be obseruit, kepit & defendit be our souerane lord, with all liberteis in honour & wyschip thair of, siclike and als frelie, as thay haue bene in tymes of his maist noble progenitouris kingis of Scotland, and the biskaris and offendaris thair of to be punist with all rigour.

¶ For escheuynge of heresy VVithin this realme, and the panis thair of .Ca. II.

ITEM Our souerane lord, Ratifyis and approuis the statute maid of befoze be his hienes, in his parliament, haldin at Edinburgh the. XVII. day of Iulii. The 3eir of god. M. D. XXXV. 3eris. Agains thaym that haldis, disputis or reheris the dampnable opinions of ye gret heretik Luther, his discipulis and followaris or of ony other heresy with new additioun, of the quhilk act and additioun, the tenour followis. AND Our said souerane lord, for the zeile and luf his hienes beris to the CRISTIN faith and the haly kirk Ordanis and statutis the said act of new.

ITEM IT IS Statute and ordanit, that forsamkill, as the dampnable opinions of heresy ar spred in diuers cuntreis be þ heretike Luther and his discipulis. And this realme and liegis thair of, hes ferme lie persist in the haly faith, sen the samyn was first restait be thaym, & neuir as yet admittit ony opinionis contrar the CRISTIN faith, bot euir hes bene cleie of all sic filth and vice. THAIRFORE That na maner of persoun strangear that happinis to arriue with thair schip within ony part of this realme, bring with thaym ony bukis or werkis of þ said Luther his discipulis or seruandis, dispute or reherse his heresies or opinionis, bot gylt it be to the confusioun thair of, & that be clerkis in ye sculis alaneilie, vnder the pane of escheting of thair schippis and gudis and putting of thair personis in presoun. And þ this act be publikt & proclamit our throuch this realme at all portis and burrowis of þ samyn, swa that thay may allege na Ignorance thair of. And that all other þ kingis liegis assentis to sic opinionis, be punist in semblable wise. And that name of pame haue, vse, keep or conceil ony bukis of the saidis heretikis or contenance thair doctrine & opinionis, bot that thay deliuer ye samyn to thair

to thair ordinaris within .XL. dayis, vnder the painis forsaidis. And the effect of ye said act to strik vpon thaym. And letteris to be direct to mak publicatioun heirof in forme as efteris.

¶ Aganis thaym that sustenis the proces of cursing abone the space of .XL. dayis. Capi. III.

Aswa, becaus the dampnable perswasionis of heretikis and thair peruerst doctrine, geuis occasioun to lychlie the proces of cursing and vtheris censuris of halykirk, for remeid heirof: Our souerane lord in yis present parliament, hes ratifyit and appzeuit, and of the new makis, constitutis and ordanis ye act maid of befoze be his grace, with the aulse of the thre estatys of his realme in his forsaide parliament, aganis thaym that sustenis contempnandlie the proces of cursing with new additioun thairto (Of the quhilk act and additioun) the tenour followis. ¶ **ITEM** IT IS statute and ordanit, that becaus mony and diuers the kingis liegis of this realme, lye vnder the horrible sentence of cursing, separatly the suffrage and prayar of the kirk, and merete of the blude of CRIST to the dampnatioun of thair saulis, euill exemple, perell and danger of the vther gude subditis of the realme. **THAIRFORE** Quhen ony of our souerane lordis liegis, sustenis dampnably the said horrible sentence of cursing, for ye space of .XL. dayis, quhairupon Captioun aucht to be geuin be the law. The party at quhais instance the personis ar cursit, sal haue our souerane lordis lfes, to poynd, apprise and distrenze thair gudis mouable and vnmouable for payment of the sowmes (for quhilkis thay lay vnder the said sentence) & gyf the saidis personis lye vnder cursing be þe said space, for non doyng or fulfilling of ony act or deid. **IN THAT** Cais the personis, thair creditouris, sall haue letteris in the first, secund, thrid and ferd formes accordyng to the ordinaris letteris of cursing. And this act alwayis to be na preiudice to thaym that likis to tak Captiounis. And albeit ane person may be vnder appellatioun, that may stop the geuing of sic letteris in maner abone writtin. **IT IS** declarit and ordanit, that na appellatioun fra sentence of desertioun of appellatiounis befoze interponit, sall stop the geuing of sic letteris.

¶ For planting of VVoddis, forestis and orchartis. Ca. IIII.

¶ **ITEM** For policy to be had within the realme, in planting of woddis, making of hegis, orchartis, zardis & sawing of brome. **IT IS** statute & ordanit be þe kingis grace & his thre estatys of parliament, that þe actis maid thairupon of befoze be king IAMES ye secund, & vtheris our souerane lordis progenitours, be obseruit, kept & put to scharp execution in al pounctis with

THE ACT IS

with this additioun. That euery man, spirituale and tenpozale within this realme, hauand ane hundred pund land of new extent be zeir, and may expend samekill quhair thair is na woddis nor forestis. Plant wod and forest and mak hedgis and haryng for hym self, extending to thre akers of land, and abone or vnder, as his heretage is mair or les in places maist conuenient, and that thay caus euery tencent of pair landis pat hes the samyn in tak or assidatioun. To plant vpon pair onset zeirliche, for euery mark land, ane tre, ilk lard of ane hundred pund land, vnder the pane of ten pund, and lesse or mair efter the rait and quantite of pair landis. And that inquisition be maid zeirliche heirvpon, as the kingis grace sall think maist expedient, and that euery man begin and cause planting to be maid the nixt seasoun heirefter following, vnder þ panis forsaidis, to be rasit and inbrocht to the kingis grace vse be the scheref of þ schyre, or quham it plesis his grace to direct his commissioun to in that part, and that cognitioun be tane zeirliche of the byekaris of this statute, be euery scheref in his awin schyre, zeirliche at his heid court efter pasche.

¶ The panis of the distroyaris of VVoddis and makaris of mureburn
in forbodin tyme. Ca. V.

ITEM For the punishing of thaim that distroyis grene wod in contrare the tenour of the act abone writtin. IT IS statute & ordanit for keping of the samyn. That all distroyaris of grene wod, be cutting, peling, birning or felling, and siclike of all new haryng; salbe accusit thairfoze consorne to þ actis and statutis maid thairvpon of befoze, and the pane thair of salbe in tymes cumyng for the first tyme ten pund. The secund tyme xx.li. And the thrid tyme deid. And siclike ye vnlaw of mureburne efter the moneth of marche in contrar the auld actis and statutis, salbe in tymes cumyng for the first tyme v.li. the secund tyme x.li. and the thrid tyme xx.li. And swa furth at ilk tyme als oft, as thay be fundin culpable xx.li. And gif thay be not responsale in landis or gudis for the said vnlaw; thair personis to be put in ye kingis grace ptesoun, to be punist for thair falt induring his grace will. And to be callit heirfoze at particular dietis or generale Justice airis, as the kingis grace sall think maist expedient. And it sall not be lesun to the Chesau- raris or compositouris in tymes cuming to compone or fyne with ye bye- karis of this act for les, than the pane & vnlaw contenit in the samyn.

¶ For keping of forestis. Ca. VI.

ITEM For keping of all forestis, woddis and parkis within the realme for wild bestis and hunting. IT IS deuist statute and ordanit, that all maner of personis clamand thaim to haue offices of forestre in heretage or takis of the kingis grace forestis. Sal be callit at sic day & place, as plesis ye kingis grace for production and schawing

schawing of thair ryghtis and infeffementis, be the quhilkis thay clame the saidis offices to pertene to thaym, to be sene & considerit be the lordis of counsale, and quhat claus thay contene, swa that gude reule & ordour may be put to thaym, for keping of the saidis forrestis in tyme cuming with certificatioun (that quhiddir thay copeir or not) The kingis grace with awise of his lordis, will dispone vpon the saidis offices, and mak sic constitutionis, as plesis his hienes for the gude keping of ye samyn pasturing of wyld bestis and hunting thairintill in tymes cumyng. AND ALS ORDANIS Letteris to be direct, to comand and charge all manner personis claming the saidis offices, to pertene to thaym in heretage or takis, that thay lat na maner of gudis, nolt, scheip, hois, meris or vther cattell to be pasturit within the kingis grace forrestis, vnder þ pane of tinsale of thair offices, and escheting of pair mouable gudis. And gif ony maner of person be fundin putting thair gudis in pasturing in the saidis forrestis. That thay be takin and brocht to the kingis grace prison and thair gudis fundin in the saidis forrestis to be eschetit be ye keparis thair of, and inbrocht the twa part to the kingis grace vse, and the thrid part to the keparis of the saidis forrestis. And gif thay be negligēt and fundin culpable: To be callit and punist thairfoze in thair personis and gudis, and tinsale of thair offices. And gif thair be ony baroun or vther landit man othir spirituale or temporel: that hes havyt woddis or forrestis of thair awin. It salbe lefull to thaym and the keparis thair of, to escheit all sic gudis that beis fundin in maner forsaide within thair forrestis to thair vse.

¶ For brekaris of Doucatis, cunnyngaris, parkis and stankis. Ca. VII.

ITEM It is statute and ordanit, that all thaym that brekis doucatis, cunnyngaris, parkis, stankis, and takis or stelis furth of þ samyn, dais, rais, cunnyngis, dowis, pikis, fische, hyuis and beis, without speciale licence of the awnar thair of. Salbe callit and punist thairfoze, as for thift at particular diettis. And this act to extend to thaym that ar art, part or geuis assistance to sic misdoaris.

¶ For brekaris of zardis and orchartis. Ca. VIII.

ITEM IT IS statute and ordanit, that ye actis maid of befoze, aganis thaym that brekis vther mennis orchartis and zardis, be put to executioun in all punctis. And to be callit thairfoze at particular diettis.

¶ Of slayng of haris. Ca. IX.

ITEM IT IS Ordanit, that the act maid of befoze, for slayng of haris, be obseruit and kept in all punctis.

¶ THE

THE ACTIS

¶ THE remeid for distructioun of housis, maner placis, VVoddis,
forestis, orchartis, 3ardis and hanyng of landis
fallin in VVard. Ca. X.

ITEM Becaus, It is vnprofitable & inutile, to mak lawis and statutis for polecy to be had, without the samyn be kept. And becaus sic ordour and prouisioun, as is deuist for polecy, may failze be falling of landis in ward, or geuing of þ samyn in coniunctfee or liferent. ¶ THAIRFOR The king's grace with aulse of his thre estatis. Ordanis the act maid thairapon, be þ maist excellēt prince, kyng JAMES the ferd his fader of maist noble mynd, to be obseruit and kept in all punctis, ratifyis & appreuis the samyn. And that al schereiffis, stewartis, baillies and bthir officiaries, baith in regalite and rialte, and sic like spirituale men within thair landis and to burgh, put the samyn to executioun in al punctis (That is to say) All officiaries within the rialte and lordis of regaliteis vnder the pane, of refounding to the heretouris of sic landis fallin in ward at thair perfite age, of all damage and skaith that thay sal happin to sustene thow pair negligence (thay being requirit pairto be the person þ is in ward or his freindis). And gylt the wardetouris, ladyis of coniunctfee or liferent of sic landis, refusis to find souertie conforme to ye said act (thay being requirit thairto) be the scheref, baillie, stewart, prouest or alderman in burgh. That the said scheref and officiaries, ilk man within his awin boundis, charge thaym to find the said souertie conforme to the said act personallie, or be oppin proclamacioun at the heid burgh of the schyre, quhair the saidis landis lye within .xxi. dayis nixt efter thay be chargit thairto, vnder the pane of wanting of the profit of all sic ward landis, coniunctfee and liferentis, to be inbrocht to the kingis vse, ay and quhill the said caution be sufficientlie fundin. And þ the lordis auditouris of ye chekker & thesaurar for the tyme inquire diligentlie in euery chekker at all schereiffis and btheris officiaries forsaid, at the making of thair comptis, gylt the said caution be sufficientlie fundin, and get certificatioun thair of.

¶ Of reid fische, smoltis and slayng of salmond
in forbodin tyme. Ca. XI.

ITEM Our souerane lord, ordanis ye actis maid vpon yame that slais reid fische, smoltis and salmond in forbodin tyme, and the panis contenit in the samyn, to be put to scharp execution with yis additioun followand (that is to say) IT sall not be lesum to the Thesaurar and compositouris in tymes cumpng, to compone or fyne in
Jugement

Jugement oʒ out of Jugement with the bʒekaris of the saidis actis foʒ les than the pane and vnlaw contenit in the samyn. And that dittay be tane vpon all thaym, that ar art and part causaris oʒ resettaris of the slaing of the said reid fische, smoltis and salmond in foʒbodin tyme siclike as vpon the pʒincipale slayaris thayʒof. And becaus the lang delay of Justice aris, geuis greit occasioun of ye bʒeking of þ saidis actis. ¶ THAIRFORE the kyngis grace sall send ane cōmissioun generalie with the Justice clerk, and sic vthir personis as sall pleis his grace to depute thairto, foʒ halding of pʒiculair diettis zeirlie in ye placis quhair the said fische ar slane, and oʒdanis all sic personis to be arrestit to the first air, to compeir vnder the pane of rebelloun & putting of thaym to the hoʒne, and gʒf thay compeir not: to put thaym to the hoʒne and denunce thaym our souerane loʒdis rebellis. And þ sic oʒdour of arresting of sic personis be kept, as it war in ane generale Justice air.

¶ Of Cruis and ʒaris.

Ca. XII.

ITEM That þ act maid be our souerane loʒdis fader quhō god assoilze, and vtheris his pʒogenitouris anentis the halding, of cruis and fische ʒaris, be obseruit, kept and put to execution in all punctis, with this additioun, that the resettaris and assistaris to sic personis incur siclike pane as the pʒincipalis. And that siclike pʒoces be had aganis thaym, as is deuist and statute aganis the slayaris of reid fische, salmond and smoltis.

¶ Of buschis for fisching.

Ca. XIII.

¶ **ITEM** OVR souerane loʒd. Oʒdanis the act & statute maid of befoʒe foʒ making of buschis foʒ fisching, to be obseruit, kept and put to execution in all punctis.

¶ For hostillaris and traullaris in the countre.

Ca. XIII.

ITEM IT IS statute and oʒdanit, that ye actis maid of befoʒe be king James the first, and vtheris our souerane loʒdis pʒedecessouris be obseruit, kept and put to execution in all punctis. And foʒ eschewing of exhorbitant pʒices tane of the kyngis liegis trauelland thʒow the realme and of the pʒices of vittallis flesche & fische. IT IS Oʒdanit that laʒdis be drect to cōmand and charge all pʒouestis, aldermen, ballies and officiaris of burrowis baith to regalitie & rialtie, and als loʒdis and vther baronis that hes burgh in baronie, and hostillaris on thair landis. That thay cause al hostillaris baith to burgh and to land, ilk man with in hym self and boundis of his office. To haue honest chalmeris & bedding foʒ resting of al passengearis & strangearis passand & trauelland thʒow

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thow the realme/weil and honestlie acculterit/with gude and sufficient stabill, with hek & mangeir, corne, hay & stray for pair hors, fleische, fisch breid & ail with vther furnessing for trauellouris, to be sauld vpon ane compitent price/and siclike stufte, as is sauld commonlie in the countre about quhair sic hostillaris dwellis. And that thay set zeirle prices thair vpon, as the said hostillaris may leif and sustene thair ludginnis, vnder the pane to be callit and punist thairfoze at the kyngis grace will. And that dittay be tane heirapon, vpon the brekaris of this statute to be callit at generail Justice airis, or vther perticular dietis, quhen the kyngs grace plesis.

¶ Of studis and stude places.

Ca. XV.

I T E M It is statute and ordanit for the commoun weil of the realme, that all maner of personis, hauand studis & stude places within this realme, mak the samin to be plenist, with stude meris & greit stallownis for furnessing of hors to all maner personis within the realme.

¶ That na man sell, nolt nor scheip to Inglischemen, nor send Vittalis fische nor salt in Ingland.

Ca. XVI.

I T E M Becaus ane greit part of the realme, and specialie heir the borderis, hes bene yir mony zeris bigane in our souerane lordis les aige, vnplenist/and ane greit part of the inland spulkerit of thair gudis, and the samyn had and sauld in Ingland be the thewis & tratouris, quhair thow all maner stufte hes growin to ane greit price and derth. And now our souerane lord putting ordour of Justice, rest and tranquillite amangis his liegis, and that plentie of gudis may grow amangis pain. Hes ordanit and statute, with the aulse of his thre estatis in parliament that na maner of man in tyme cumpng, sell nolt, scheip or vther cattill auld nor young, to ony Inglischemen be hym self, or ony vther mediat person, nor haue or send the samin in Ingland to be sauld. And that na maner of man send in to Ingland, vittalis, fische or salt, vnder the pane of confiscatioun of all thair mouable gudis. ¶ And that al wardanis/ prouestis/bailzeis of townis and keparis of portis and haupnis within the realme, mak diligence, serche and seik the brekaris heirof, vnder the pane of tinsall of thair offices and presonning of thair personis zeir and day induring the kingis grace will. And geif ony Inglischeman wil cum in to this realme with thair schippis, to bye vittalis, fische or salt, pe kingis grace sall grant to thaym his saulconduct (to do the samin geif his grace thinkis the samyn expedient) and the said saulconduct beyng obtenit: It salbe lesun to al marchandis, & vtheris within the realme to sell sic marchandice to the saidis Inglischemen for gold and siluer, or to bertour with vther gudis sufficient marchandice.

¶ For



Aswa, IT IS statute & ordanit, that na Foirstallaris be fundin byand vittallis, fische, felsehe, or vther stufte or the samyn be presentit to ye market nor sit in to ye market or the tyme of day statute & ordanit thairto, vnder the pane of p̄soning of thair personis and escheting of al sic gudis cost or arlit be thaym (that is to say) the twa part to the kingis grace, and the thrid part to the schirref or officiari of ye schyre, p̄ouest, baillies and officiariis of the burrowis, or to cny vther that findis thaym doyng in the contrare heirof.

¶ For the stancheing of maisterful beggaris VVith additioun Ca. XVIII.

ITEM For refrening of the multitude of maisterful & strang beggaris. IT IS Ordanit, that ye act maid thairupon of befoze be king IAMES the first, approuit and ratifyt be vtheris our souerane lordis p̄decessouris, be obseruit, kept and put to scharp executioun in al puntis, with this additioun. ¶ THAT NA BEGGARIS be tholit to beg in ane parochin, that ar bozne in ane vther, and that the heidismen of ilk parochin, mak takinnis and geue to ye beggaris thair of. And that thay be sustenit within the boundis of that parochin, and that nane vtheris be seruit with almous within that parochin, bot thay that beris that takin alaneilie, vnder the panis contenit in the said act, and that the Justice clerk mak inquisitioun and tak dittay heirupon at euery Justice air. And als ordanis letteris to be direct, to cōmand and charge the p̄ouest and baillies of Edinburgh, and al vtheris p̄ouestis, baillies of burrowis, schirreffis and vtheris officiariis of ye kingis. To put this act to executioun in all puntis, and the samyn to be publiſt at al places neidfull, swa þ nane sall pretend Ignorance or allege thay knew not the samyn in tyme to cum.

¶ The remeid for deliuering of thaym that fleys to gyth. Ca. XIX.

ITEM For the mair hasty expeditioun & punishing of thaym that cōmittis slauchter vpon forthocht felony, & fleis to gyth conforme to the act of parliament maid thairupon of befoze, quhilk oft tūmes takkis nane effect, thow p̄tens of excuse of þ maist thair of, spirituale men that will not deliuer the saidis trespassouris to our souerane lordis officiariis conforme to the tenour of the said act.

¶ HEIRFORE IT IS Statute and ordanit be the kingis grace, with auiſe and consent of the thre estatis of parliament, that all maisteris of gythis within this realme, sal mak sufficient responsale men baillies or
B. i. maisteris

maisteris of gylthis vnder thaym dwelland at the saidis gylthis or net-
thairby, quha salbe haldin in al tymes cūing, to deliuer al cōmittaris of
slauchter vpon fortocht felony that fleis to gylth, and vtheris trespas-
souris, that brekis the samin, and may not brouk the priuilegis thair of,
conforme to the cōmon law and act of parliament forsaide. To our soue-
rane lordis officiariis askand and desirand thaym to vnderly ye law con-
forme to the said act of parliament. And gyl the saidis baillies failzeis
thairintill, to be rigorously punist for thair contemptioun in thair bodyis
and gudis, at our souerane lordis will. AND that all maisteris of gyl-
this spirituall men, send to the Justice clerk, the names of thair baillies
and maisteris of gylthis depute and to be depute be yame. That quhen
ony sic crimes ar cōmittit and done: That letteris may be direct to all
schirreffis, baillies or stewartis, within quhais boundis the saidis gyl-
this ar, to charge the saidis baillies or maisteris, to deliuer to thaym the
saidis trespasouris, conforme to the act of parliament.

¶ *Privilegis of burrowis.*

Ca. XX.

ITEM Our souerane, with auise and consent of his thre estatis of par-
liament, ratifyis and appzeuis ye actis maid of befoze, grantit to mar-
chandis within burgh.

¶ *Anentis marchandis, that salis incontrar the actis maid of befoze.* Ca. XXI.

ITEM IT IS statute and ordanit, be ye kingis grace and thre
estatiss of parliament, that the act and statute maid be
vmquhile our souerane lord king JAMES the thrid. AND als ratifyit
and appzeuit, be vmquhile our souerane lord & last deceist of gude mynd
quham god assoilze. ¶ Twiching marchandis passand with thair mar-
chandice furth of the realme, to France, Flanderis, or ony vther partis.
That na marchand sale, without he haue half ane last of gudis of his
awin, or ellis in gouernance as factour to vther marchandis, be put to ex-
ecutioun in all punctis in tyme to cum, efter the forme and tenour of the
samyn. And ratifyis and appzeuis the said act and statute now in this
present parliament. And atour ORDANIS the prouest or baillies of
burrowis, situat at ilk port of the realme, to serche and seik the personis
brekaris of the saidis statutis. And that thay distrenze ilk person brekar
thair of, for the solum of. XX.li. to be applyit on this wise (that is to say)
The ane half to our souerane lordis vse, and the vther half to ye prouest
or baillies for thair labouris. And that thay mak compt thair of zeir lie
in the chekkar. And gyl the prouest or baillies be negligent in the exer-
cing of yair offices and power geuin to thaym. Thay salbe obliss to pay
the said pane of. XX.li. for every man that passis and salis incontrair ye
said

said act of thair p^rovest, that have Jurisdiction. AND als it is o^rdanit pat na schipper, maister, awner of schippis, ressaue ony marchad to sail in thair schippis, without thay have the names of thaym in tickets subscrit be the saidis p^rovest & baillies handis, vnder the pane forsaide for ilk person that thay ressaue in thair schip, and that our s^ouerane lordis custumlers o^r ony vtheris that plesis accuse ye saidis p^rovest and baillies q^uth thay be negligent in the p^remissis scirle at ye chekker. And letteris to be direct heirupon in dew forme as efteris.

¶ AND als that letteris be writtin to the conseruatour of the nation in Flanderis, contenand the effect of this act, chargeing hym, to send hame the names of all marchandis resortand thair in euery schip in contrair the tenour of the said act to the Thesaurar, vnder the pane of tinsale of his office.

¶ That na schip sale v^uith staple gudis fra Symonis day and Jude, quhill Candelmesse. Ca. XXII,

ITEM Our s^ouerane lord ordanis, the act maid be king IAMES the secund, be the quhilk IT IS Ordanit pat na schip be frauchtit out of the realme with ony staple gudis, fra the fest of Symonis day and Jude, vnto the fest of the purification of our lady callit Candelmess, be obseruit, kept and put to execution in all punctis with this additioun. That the pane of thaym, pat cumis in contrair heir of, salbe in tymes cumyng .XX. li. To be raisit of ilk person brekaris of the said act. Except it salbe lesfull, to send ony kynd of marchandice furth of the realme in the tyme forsaide, in ony schippis, that bringis in salt o^r wyne.

¶ Of the chesing of officiaris in burgh, and bringing of the comptis of thair common gudis scirle in the chekker Ca. XXIII.

ITEM Becaus al our s^ouerane lordis burrowis, ar put to p^rovest, waistit & distroyit i pair gudis & polery, & almaist ruinous, th^row fall of bling of marchadice, and pat th^row being of outlandis men p^rovest, baillies and aldermen within burgh for thair awn particular weil in consuming of the common gudis of burrowis grantit to thaim be our s^ouerane lord and his p^redecessouris kingis of Scotland. For the vphald of honestie and polery within burgh, IT IS heirfor statute and ordanit, that na man in tyme cumyng, be chosin p^rovest, baillies o^r alderman in to burgh, bot thay pat ar honest and substantius burgessis marchandis and indwellaris of the said burgh, vnder p^r pane of tinsale of thair freidome, quhay dois in the contrair. And that na man dwelland within burgh purches lordschip out of burgh in ony his actioun o^r querrell, to molest, trouble o^r geue feir & dredone to his nyghbour

B. ii.

and

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and party, vnder the pane contentit in the actis and statutis maid thair vpon of befoze. And that all prouests, baillies & aldermen of burrowis bring zeir lie to the chekker at the day seefor geving of thair comptis, thair compt bukis of thair commoun gudis, to be sene and considerit be the lordis auditouris, gene the samyn be spendit for the commoun weill of the burgh or not, vnder the panis foresaidis. And of the saidis prouest baillies & aldermen of euery burgh warne zeir lie. XV. dayis befoze thair cumpug to the chekker, all thay quha lehis to cum for craming of the saidis comptis, that thay may argun and wipung the samyn, as thay pleis, swa that all murmur may ceis in that behalf.

¶ That na man truble nor molest the prouest, aldermen, baillies and officiaris VVithin burgh. Ca. XXIII.

ITEM IT IS Statute and ordanit, that na man, erle, lord, baroun or vther of quhatsumeuir degre about & adiacent nychtbouris to burrowis, molest, truble nor inquiet p prouest, aldermen, baillies and officiaris of burrowis and marchandis thair of, in vsing of thair franchiseis, liberteis and priuileges grantit to thaym be our souerane lord and his predecessouris kingis of Scotland, and in contrair the actis and statutis maid thair vpon, vnder the pane to be callit and accussit, as commoun oppressouris of our souerane lordis liegis, at generale Justice airis or priuat diettis and Justice courtis, as salbe thoct expedient be the kingis grace. And that the Justice clerk tak inquisition & dittay heirof as efteris.

¶ That na man ryde, bot in sobir maner. Ca. XXV.

ITEM IT IS Statute & ordanit, that becaus thair hes bene greit inconuenientis and truble wrocht in the cuntre, be greit personis, throu conuocation of the kingis liegis at courtis & gadderingis. THAT Thairfoze, that na man tak vpon hand, to ride to sic courtis nor gadderingis with ma personis, than thay may sustene in houshald dayly, except that it salbe lesul to schirreffis, Stewartis, baillies and vtheris the kingis officiaris, to ryde with greiter noumer, for the execution of Justice, and furth beung of the kingis auctorite. And quha sa dois in the contrair, salbe callit thairfoze incontinent at our souerane lordis instance, to be punist thairfoze in his person and gudis, at his hienes will.

¶ For malt makaris. Ca. XXVI.

ITEM Becaus our souerane lordis liegis inhabitantis of the burgh of Edinburgh and vtheris reparand thairto, at greitlie oppress & iniurit, be pe malt makaris of Xcith, & vtheris within and about the said burgh, in selling of thair malt to his and inhabitant price, for four, fiue, or sex sillingis hecar, than thay be the best.

¶ THAIR

¶ *It is statute and ordanit, that the saidis malt makaris in tyme tynnyng, sal husch and sell thair malt for compitent winning takand twa schillingis aanerle mair for the boll of malt, than the boll of beir is sold and notakone, with certificatioun, that quha cumys in ye contrair heirof. That the prouest and baillics of Edinburgh, sall escheit the said malt, and þe said malt makaris takand mair, than twa schillingis for the boll above the boll of beir, quhilk sall mak the different price, sal be callit and punist tharfore as opprellouris of the kingis liegis, and particular Justice courtis, sal be set to thaym pairfoze. And our souerane lord sall geue comission to sic as plesis his grace best, to cal all the said malt makaris, bzekaris of this statute & act, befoze thaym in þe Colbuith of Edinburgh, to do Justice vpon thaym, as thay think expedient. And to cause the said act and statute, to be obseruit and kepit in all punctis.*

¶ Of craftismen, broystaris, sellaris of salt and Vittale VVithin burgh. Ca. XXVII.

ITEM *Beaus the greit opprellioun dayly done vpon our so uerane lordis liegis, be cozdinaris, smythis, baxtaris, broystaris and al vther craftismen, sellaris of vittale & salt, compelland thaym to pay for thair stufte and warkmanschip exhorbitant prices, to the greit skaith of all our souerane lordis liegis, bringand sic derth in ye cuntre, that the samyn way not be sustenit. And for remeid heirof. IT IS Statute and ordanit, that our souerane lord, sal geue ane comission to certane his lordis & vtheris, quham his grace plesis best to sit, and with thaym the prouest of Edinburgh, and mak sic statutis and ordinance, as thay sall think maist expedient for the comoun weill, to cause all craftis men within the town of Edinburgh and vtheris of the realme, to mak gude and sufficient stufte, and sell the samyn of ane compitent price, and to tak compitently for pair warkmanschip and laubouris, gylf thay wrik ane vthermannis stufte and mater. And to mak all sellaris of vittale or salt, to sell the samyn of ane ganand price without derth. And quha dois in the contrair, to punis thaym with all rigour, and the saidis comissa ris to do Justice vpon the bzekaris of thair opynatioun, all off as thay heir murmur or complaint thair of, and to punis thaym in thair gudis, as thay find the greitnes of the falt, as efteris*

¶ That na man sale in to Flandaris, bot tuisse in the 3ere. Ca. XXVIII.

ITEM *IT IS Statute & ordanit, for the honestie of þe realme, weill and proffite of all our souerane lordis liegis, and specialie his burrowis and marchandis of his realme, that na schip be frauchtit, noz marchandis sale thairin with thair gudis & marchandise furth of ye realme in Flandaris, bot thair in the 3ere (that is to say) to ye pasche market and rude market, vnder the pane of the person cumand in the contrair heirof. XX. li. to be raisit & indrocht to the kingis glacie bse.*

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THE declaratioun of the pley, betuix the lardis of Blairquhane
and Gylestoun. Ca. XXIX.



HE Quhilk day, in the mater referrit be þe lordis of Sessioun to the lordis thre estatis of parlyament, for interpretatioun of certane lawis of þe realme, schawin and producit befor the saidis lordis of Sessioun in ane action mouit befor thaym, & zit dependand be James Kennedy of Blairquhane aganis Thomas Makccllane of Gylestoun, for þe malis & dewiteis of the landis of Castelcruke & Killimanocht with þe pertinentis, liand with in the schirredome of Wigtoun, pertenant to the said Thomas in heretage, haldin of the said James immediatlie in cheif, & thow his being at the hoine atour zeir & day. The malis & dewiteis of the saidis landis be the lawis of the realme, pertenis & suld pertene to the said James for the said Thomas lifetyme. And becaus the saidis lawis war variant in thair seluis, and thairfor wer referrit to the interpretatioun of the estatis of parliament, gif the samyn concernis symple slauchter or not, and suld haue place in that mater or not, as at mair lenth is contenit in þe act maid thairupon of the dait at Edinburgh the ferd day of Marche. The zeir of god. M. D. XXXIII. 3eris. Baith þe saidis partpis being psonalie present with thair procuratouris & forspekaris. The saidis lawis and betheris thair resonis and allegationis being hard, sene & vnderstand, the lordis of articulis being ripelie auisit thairwith. FINDIS, that the vse in tymes bygane, hes bene þe malis & dewiteis of the landis of thair that hes bene zeir & day at the hoine haldin of vther superiouris than þe kingis grace, zeir & day being bypast, returnit agane to the superiouris of the saidis landis for the lifetyme of thaym, that sustenit sic proces of hornynge zeir & day as said is, Except crymes of tresoun and lese maieste. And findis that the saidis lawis, suld be sa interpreit and vlit in tymes cuning.

Anentis Justice airis and particulair. diettis for certane
speciale crymes. Ca. XXX.

ITEM Our senerane lord with auise of his thre estat of parliament, ratifpis and appreuis the act & statute maid of befor in his hienes parliament, haldin at Edinburgh, the tenth day of Julii. The zeir of god. M. D. & XXV. 3eris. Anentis þe setting of Justice airis to the secund are, as air and court peremptour & vther poyntis contenit in the samyn, with correctioun and additioun as efter followis.

ITEM IT IS Statute & ordant in this present parliament, becaus þe proces of Justice airis, is sa lang & prolit, that in mony 3eris, partpis that ar hurt & greuit, gettis na Justice, trespassis and crymes passis unpunist, quhilk is occasioun of mony personis to comit crymes, traisting na hastie punitioun nor correctioun. That thairfor in tyme to cum the proces of Justice airis and Justice courtis be peremptour at the secund air or

air oꝝ court, swa that fugityuis not comperand at ye secund air oꝝ court, suld be and salbe denuncit the kingis rebellis and put to his hoꝝne, and all thair gudis his escheit. And als becaus mony psonis inditit to Justice airis, ar chargit with souertie to Justice courtis, blis to absent yame and fle and may absent thaym & fle, swa that Crownaris can not apprehend thaym personalie to arrest thaym, in that cais in all tymes to cum, it sall suffice the Crownar to cum to the dwelling place of the personis inditit, and thair mak thaym warning & charge, that thay comper in ye Justice air pan nixt to follow, to answer to sic accusationis of crymes as salbe impute to thaym, and thair efter vpon the nixt sonday oꝝ festuale day following the said charge, that the Crownar mak oppin & publik intimation of his warning, charge & pꝛemuntion maid to ye saidis personis be thair names in thair parroche kirkis, quhilkis chargis, pꝛemuntionis & intimationis, sall stand to thaym foꝝ sufficient arrestmentis, the Crownar pꝛeuid the samyn be his aith & ane witnes, as auld consuetude is. And inlike wise ye kingis officiariis makand warning to priuate Justice courtis of ony psonis foꝝ ony crymes not deseruand rebellion, in cais of non finding of souertie, that thay keip ye samyn oꝝdour and pꝛoces, quhilk salbe halidin and repete foꝝ sufficient souertie fundin vnder þ pane of law, the action not beand foꝝ slaughter noꝝ mutilation. And oꝝdanis þ Justice generale vpon ony maner of crymes, comittit oꝝ to be comittit, to set Justice courtis pticulair quhen neid is foꝝ punition of pticulat faltis & crymes that occurris, sic as recent slaughter, mutilation, fyre, reuiling of women. And as foꝝ depꝛedationis, maisterful reiffis and spoileis, that pticulair diettis be set thairfoꝝ at þ discretion of ye lordis the mater being first ciuillie decidit betwixt thaym. And becaus diuers psonis in tymes bigane hes rasit sic letteris to pticulair diettis and hes absentit baith thaym selfis & ye letteris, and hes not cum to persew thair actionis, and thairthow hes abusit ye Justice, & brocht ye countre to greit expensis. Foꝝ remeid heirof. IT IS Oꝝdant that in tymes cuming the heparis of þ signet, sall answer na letteris foꝝ calling of ony personis & partys, to sic pticulair diettis, bot gyl þ samyn be subscriuit with ye clerk writtar to þ signet & Justice clerk & his deputis. And that the Justice clerk oꝝ his deputis, sal tak sic souertie of þ ptis purcheslaris of sic letteris, that thay sall bring the samyn agane to thaym oꝝ the day set thairto, buillie execute & indorsate, vnder ye panis cōtent in þ letteris that þ pty is callit vpon. And gyl ony psonis be callit vpon mutilation, and þ samyn be fundin na mutilation. The party psewer, sal cōtent and pay þ vntill of xlii s oꝝ mair to þ pty psewit & expensis to þ assise at ye discretion of þ Justice & his assessoris. And gyl ane pty callis ony multitude foꝝ slaughter, mutilation oꝝ ither crymes at sic pticulat diettis quhairby the innocent ar put to greit trouble, charge and expensis, and it be fundin that the said multitude is innocent of the deid, the party persewer

fewer, shall pay ane vnlaw of .x. li. les or mair to the party persewit, and expensis to the assise at the discrecion of the iudice & his assessoris as thay think cause. And yf the purchasours of the letteris be not responsale in gudis for payment of the said expensis, thair personis shal be put in prison, and thair to remane, zeir & day, and further induring ye kingis grace will.

¶ The additioun of the act of cursing. Ca. XXXI.

ITEM IT IS Statute and ordainit for augmenting, strenth-
ing and helping of ye act maid byn our quene's folkis and
geuing of ye kingis letteris thairupon and to their freest appellacionis,
that the kingis letteris shall haue place to poynd and distreine at. Sup-
pose it be deulie appellit zeir & day being bypast, the appelland not bring-
and hame his commissioun within zeir and day, *essente iusto impedimento*. And
the party quhomfoze the kingis letteris shal happin to be geuin findand
sufficient caution before the lordis of counsaile, to refound the gudis &
geit, that shall happin to be poyndit be vertue of the saidis letteris, yf it
shall happin the sentence quhairupon the saidis letteris shal be geuin, to be
retrahit be the Juge deligat, notwithstanding any appellacion thairfra
the party appelland beand warnit & callit, to heir the souertie & caution
tane. And that the party appelland schawand before ye saidis lordis the
sentence retractatour, letteris be direct, to poynd the saidis souerties
thairfoze.

¶ Declaratioun of parliament, gif the kingis grace hes action or not? aganis
the airis of thair, that committis crymes of lese maieste. Ca. XXXII.



IN the quene's day, maister Henry Lauder aduocate to
our soveraign lord, exponit in presens of the kingis grace
and honorableis of parliament, how that his grace had
late committis upon the airis of vnguile Robert
Kelle, to heir his name and memour delet and extinct
for certain poyntis & crymes of lese maieste, committis &
dunt be hym or his deceis, and thairfoze all his gudis
movable and immovable pertynyng to hym ye tyme of the committig of
the said cryme, and schawit to be decernit to pertaine to his grace. And be
cause it is manifest, that it is ane noueltie to rais summondis & moue
sic ane action aganis ane person that is deid. Howbeit the comoun law
directly promys the fegyn. Nottheles for stanching of sic murmur,
and that his grace tendis on na sort, to moue or do any thing, bot that he
may Justie be the unse of the thre estatis. **THAIRFORE** desirith the
saidis thre estatis to auise thairupon, and the kingis grace may haue the sen-
sement of parliament, quhairupon he hes ane poynt to persew sic sum-
mondis or not. The saidis thre estatis, spirituall, temporall, and conuincit
of burrows, all in ane voce but variand in discrecion. Hes deliue-
rit and concluded, that his grace hes gude Just cause and action to
persew

as persw the said summondis, and all thairis siclike summondis of tre-
son done and comittit aganis his person and comoun well, confoyme
to the comoun law, gude equite and reason. Notwithstanding thair is
in special law, act nor promission of realme maid thairupon of before.

¶ Ratification and promission of the actis of the last
parliament. Ca. XXXIII.

ITEM The kingis grace, with the aulse & consent of the thre
estatis of parliament. Forasmuch, as thair wes diuers
statutis, constitutions and actis maid in the last parliament for the ho-
nour of god and haly kirke, well of our soueraine lord, seie of Justice and
conforting the comoun well of the realme and liegis thair of quhilk re-
munt at this tyme disponit and auctorit be his grace and thre estat.
THAIRFORE Hes deuise, make and ordanit, that the saidis actis be
not promission in his honer, personis and thre estat, swa that the samin
may be kept in thair tyme, as was in this realme with auctorite of the
last parliament, or quhilkis statutis pe tenouris at precedent.

¶ The kingis grace. Ratification. Ca. XXXIII.

JAMES by the grace of god king of Scottis, vndersta-
band cleirly the prynciple of the comoun law, actis and sta-
tutis of our realme prouidit and geuyn to the succouris of
all maner of personis, to reuok, casse & adnulle al thingis
done be thaim in thair youthheid & les age, quhairthow
they at greittie and heuettie dampnagit and schaitit in thair heretagis
be imprudent alienationis, donationis and venditionis of the samyn.
And that they may at thair persyte age reuok the samyn and al thingis
done be thaim pryncipall in thair minynte and les age. And thairfore
our predecessouris kingis of Scotland at yair persyte age of .XXV. 3eris
past, hes in tymes bygane maid reuocation of all sic thingis that hes
bene done be thaim in hurt and dettinent of thair crown, landis, rentis
and possessionis pertening to the samyn and vther thingis quhairintill,
they be circumuention wex dampnagit and schaitit, maid thair reuo-
cation, cassand & adnulland, all sic giftis, alienationis and donationis.
THEIRFORE We at our persyte age of .XXV. 3eris byrunnin, beand
for the tyme furth of our realme in the parris of France, maid our gene-
rale reuocation schoztie AT Rowane, the thrid day of Aprile. The 3eris
of god .M. D. XXXVII. 3eris. As at nycht is cotenit in ane instrumēt
maid thairupon subseruit with the hand of maister George Cupk notar
public (of p quhilk) p tenour followis. And for certane greit & resonable
causis mouing vs, & hauand respect to the well of our crown & comoun
well of our realme, reuokis all maner of giftis, infestmentis & disposi-
tionis quhatsumeuir we haue maid or hes bene maid, be our tutouris &
gouernouris

gouvernouris for the tyme during our minoritys and les age in quhatsum-
ever cause or cais, that they may run under reuocatioun be the comoun
law or consuetude of our realme. **PROTESTING** solempnlie, that
our absence furth of the samyn at this tyme, and the solempnities requi-
rit on that behalf not being done, be to us na p̄iudice anentis the said
reuocatioun with the quhilkis we dispence and suppleis all faltis thair
with be our kinglie power and auctorite riiall) and wil yat this stand for
our generale reuocatioun of all maner thingis done be us or our faderis
tutouris. And the samyn to be extendit in the maist ample & large forme
as ony vtheris reuocationis maid be our maist noble fader or our pro-
genitouris kingis of Scotland. The quhilk our said generale reuoca-
tioun, we in this present parliament, with the awis and consent of our
thre estatis, ratifyis & approuis, and it as efter followis, reuokis, callis
and adnullis in generale and als in speciale.

¶ IN THE first, we reuok, callis and adnullis, all infestmentis, dona-
tionis, alienationis and dispositionis maid be us, our tutouris or gover-
nouris or regentis in our les age in ony maner of maner in fee, ferme
or franktenement of ony landis, lordschippis, custumes, annuellis, fis-
chingis, burrow males and castell wardis, annex to our crown or ony
part thair of, als weil geuin be our fader, quham god assoilze, as be us
to ony person or personis, in contrair the actis maid thair upon or before.
To be reducit agane to us and to our crown, be vertue of the actis and
statutis maid of annexationis and efter the forme of the samyn.

¶ ITEM we reuok all alienationis of ony rentis, landis and hereta-
ges annex to the principalite and to the pūce, secund persoun of the
relame maid be us in maner foresaid.

¶ ITEM Inlikewise, we reuok, callis and adnullis, all donationis,
alienationis, fermeis and giftis quhatsumever, in liferent or vther-
wais in our nonage of the landis, rentis, annuellis or ony vtheris reue-
nois, that our fader had in his possession the tyme of his decess be gift
or vtherwais, and of all offices, sic as chanceleris, baillieris and cu-
stumaris maid for maneris, bot fra ane chekker quhill p̄ compt be maid
in the nixt chekker efter followand, and als all assidationis and takkis
maid for langer termes nor full termis.

¶ ITEM Inlikewise, we reuok and callis al taillies maid fra ye airis
generale, to the airis male of ony landis within our realme aganis the
law and gude conscience.

¶ ITEM we reuok all new infestmentis of landis geuin in blanche
ferme, that wer halidin of us or before be seruice of ward and releif.

¶ ITEM we reuok al regalias and confirmationis of ye regalias,
and of al offices geuin be us in heretage or be our fader aganis p̄ actis
and statutis, that na regalie suld be geuin in heretage, without awis &
deliberatioun of the hail parliament.

¶ ITEM

Q I T E M We reuok all alienationis maid of ony heretages in our non age, that become lawfullie in our handis be reason of forfaltour, bastar- due oꝝ vtherwais, and liferentis geuin thair of in our minoꝝite.

Q I T E M We reuok all new creationis of landis, baronpis, annexationis and vnionis of diuers landis in to fee, in pꝛeuidice of our dew ser uice aucht to vs & our progenitouris of befoꝛe. AND siclike we reuok, all discharges of seruice of suitis of courtis aucht of auld to our pꝛoge nitouris.

Q I T E M We reuok al new infestmentis geuin of creation of baronpis in the landis and lordschippis annexit to our crown.

Q I T E M We reuok all giftis & confirmationis geuin be vs of quhat sumeuer landis and heretages be euil and fals suggestioun, be the expꝛe myng of ane fals cause, quhair gyf thay had bene expꝛemyt ane trew cause and the verite, we had not geuin the samyn. And thairthow we ar gretumlie and enoymilie hurt.

AND Generalie, we reuok cassis and adnullis al and quhatsumeuer thingis done be vs in our les age in detriment and harme of our saule and conscience hurting of the pꝛiuelege of our crown, pꝛeuidiciale to the samyn and to vs in our patrimonie thair of. And quhat the cōmon law & consuetude of our realme leuis vs to reuok. And this our reuocatioun to be of als greit effect and als largelie extendit in generale and in spe- ciale, as ony reuocationis maid be ony our progenitouris kingis of scot land of befoꝛe. And speciale be our derrest fader of gude mynd, quham god assolke, and king IAMES the secund. AND Protestis, suppose we of our fauouris and beneuolence, suffir ony person oꝝ personis to vse oꝝ possede ony pꝛiueleges oꝝ possessionis, of landis, rentis and offices that ar fallen vnder our reuocation. It sall mak na rycht to the vsaris oꝝ hal daris thair of. Bot it salbe lesfull to vs to put our handis thairto, quhen euer it sall pleis vs but ony contradictioun, be vertew of our said reuo- cation, actis and constitutionis of our realme maid of befoꝛe.

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¶ IN THE parliament, begunnyn and haldyn, at Edinburgh, the thrid day of Decembre. THE 3eir of god M. D. and XL. 3eiris.

¶ THAT All schirreffis, and Vtheris officiaris, be present personalie, at the thre heid courtis 3eirlie. Ca. XXXV.



First, for the mayntening of Justice, and putting of gude ordour thairto out thzough all this realme. IT IS Statute & ordanit, that all Stewartis, baillics & schirreffis, hald all thair thre heid courtis be thaim self in propre person, without thay haue Just and lawfull excuse thzow being in the kingis grace seruice, & to testify þ samyn be his grace witting, or thzow seiknes þ thay may not trauell, and that the kingis grace auctorite be not lychtlyit, & his liegis want detfull administratioun of Justice. IT IS Siclike statute & ordanit, that all baronis and frehaldaris, that aw sute and presens in to the saidis courtis to be thair personalie, and ye absentis to be amertiati with all rigour. And quha that aw bot sute, that thay send thair sutouris honest and qualifeit men hable to decyde vpon ony caus conformand to ye auld law. And that ye saidis schirreffis, stewartis & baillics admit nane vtheris, as he will answer to the kingis grace. And quha that cumys to the court, that he answer for hym self & remane quhill the samyn be done and endit, and to pas vpon inqueistis and assisis, and assist to the kingis schirreffis, stewartis and ballies in the administratioun of Justice, and doyng of thair offices & seruice, conforme to thair infestmentis, as thay will answer to the kingis grace vpon thair vtermaist charge.

¶ Of the setting of temporale courtis

Ca. XXXVI.

ITEM Becaus, our souerane lord hes bene & is of gude wil & mynd to haue Justice schoztlie done to al his lieg^s, swa pat thzow lang proces his liegis be not lang taret & verit in greit expensis. THAIR FORE hes statute & ordanit, pat al schirreffis & temporale Jugis, sal in tymes cumyng in al personale actionis, set thair court peremptozlie vpon. XV. dayis. And direct vair preceptis thairupon, & at þ day proceed *summarie et de plano*. The party being warnit vpon. XV. dayis, & mak sic proces in all thingis, as is vsit befoze the lordis of consale and session notwithstanding, ony auld lawis and constitutionis maid thairupon of befoze. And all vtheris materis and actionis to haue sic proces, as thay haue had in tymes bygane.

¶ Of deputis to schirreffis and Vtheris officiaris Ca. XXXVII.

¶ ITEM That all schirreffis, and vtheris officiaris of the kingis with in this realme, mak thair deputis ane or may, gude & wise substantialious men of best fame, knowlege, vnderstanding and experience within the schirrefdome

schirrefdome and lest suspect, for quhom thay sall answer for vniuersale administratioun of Justice to all personis indifferentlie. And that thay cause thair deputis to be maid, creat and sborne in plane court, and ane act maid thairupon. And gif thay continue pair deputis langer than for ane yer, that thay cause thaym seirke to be sborne to thair offices for the administratioun of Justice at the heid courtis efter Michaelmes.

¶ Anentis the indorsing of letteris and preceptis. C. XXXVIII.

ITEM That all schirreffis, stewartis and baillies, cause pair mairis and officiaris, quha sall execute the kingis letteris & chargis or thair awin preceptis, to haue ane signet, and in it graut the first letter of thair name or first of thair surname, or ellis sum vther thing, that salbe vniuersale knawin to be thair signet, with þ quhil- kis thay sall signet all letteris and preceptis execute be thaym and indorsate in tymes to cum. And that na indorsatioun sal haue faith nor be admittit, bot thay that ar signet with ye saidis signettis. And siclike that al officiaris of the kingis haue pair signettis in maner foutsaid and signet all letteris and chargis, execute and indorsate be thaym, vnder the pane of deprivation of thaym fra thair offices, that makis ony sic executionis without thair signettis foutsaidis. And gif ony of thair executionis wantis thair signet, the samyn sall haue na faith.

¶ The ordour of summoning of all personis in ciuile actionis. C. XXXIX.

ITEM For eschewing of greit incontinentis and fraud done to our souerane lordis liegis, be summoning of thaim at thair dwelling places, and oft tymes fallie and gottis neuer knawlege thair of. IT IS Statute and ordanit, that in tymes cumyng quhair ony officiar or schirref in that part, passis at comand of þ kingis letteris or the schirreffis, stewartis, baronis or baillies precept to summon ony party, gif thay can not apprehend thaym personallie, thay sall passe to ye zet or dur of the principale dwelling place, quhair the person to be summoned dwellis and hes thair actuale residence for the tyme, and thair sal desire to haue entres (quhilk gif it be grantit) thay sall first schaw the cause of thair cumyng. And gif thay can not get ye party psonallie, thay sall schaw thair letteris or precept befoze the seruandis of the hous or vther famous witnes, and sall execute thair offices and charge, and thair efter sall offir the copp of the saidis letteris or precept to ony of the seruandis, quhilk gif thay refuse to do, that thay effir the samyn vpon the zet or dur of the personis summonit. And siclike gif thay get na entres (thay first knockand at the dur. VI. knockis) thay sall execute thair office befoze famous witnes at the said hous and dwelling place, and affir the

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copy vpon the set or dur thair of as said is, quhilk salbe lawfull and sufficient summoning and deliuering of copy, and the party nor officiar sal not be haldin to geue ony vther copy, bot at thair awin plesour. And eue- ry officiar in his indorsatioun, sall mak mention of his executioun in ma- ner forsaide. And the party at quhais instance, the letter or precept is di- rect, sall pay to the officiar executour, the expensis of the copy affixit as said is. And salbe tart and geuin agane to hym at the geuyng of the de- creit or sentence gyf he happinnis to obtene. And gyf the officiar beis fundin culpable in the executioun of his office, he salbe put in our soue- rane lordis presoun, and punist in his person and gudis, at the kingis grace will.

¶ The electioun of Notaris. Ca. XL.

ITEM Anentis scribis and notaris, baith to land and burgh. Becaus it is vnderstand to the kingis grace, that the multitude of thaym, generis ane greit confusioun, mony falssettis ar co- mittit. For ye remeid heirof. **IT IS** Statute & ordanit, that euery schir- ref with sic personis as sall pleis the kingis grace to adione to thaym sall call befoze thaym, all notaris that ar lawit men within his schirref- dome and boundis of his office, and exame thaym, and quha that ar hal- din to be famous and able men to execute the office, that thay be admit- tit be ane act in Jugement. And pat the said schirref haue ane buke, and gar thaym that ar admittit writ thair subscriptioun and signis manual in the said buke, siclike as thay subscribe all instrumentis, and as thay will vse in tymes cuming, and to discharge all vtheris except thaym pat ar writtaris, notaris & scribis in our souerane lordis courtis of Justice, baith ciuile and tempore, quha salbe admittit be the chancellor, presi- dent and lordis of consale, and quha efter the said discharge, makis ony instrument, the samyn salbe of nane auale, and haue na faith (it beand opponit be the party and not beand prouin in the contrair) that the said notar is admittit as said is. And that all ordinaris, cause siclike to be done vpon all notaris, that ar spirituale men within thair dyoc. And quha that happinnis to be maid notaris in tymes to cum, that thay vse not the said office of notary, onto the tyme thay cum befoze the schirref or ordinar and get pair admissioun, subscribe and put thair signis in ye said bukis, as thay will vse in tymes to cum, with certification to thaim and thay failze, thair instrumentis salbe of nane auale & mak na faith.

¶ The geuing of sasingis. Ca. XLI.

¶ ITEM IT IS Statute & ordanit for eschewing of inconuenientis of geuing of sasingis be priuate notaris, quhais names ar oftymes vn- knawin, and thair prothogollis can not be gottin, in cais the principale instrument

instrument be tint, distroyit, subtractit and haldin away, for eschewing heirof. ¶ **THAT** All selingis be geuin in tymes cuning be the schirref clerk or his deputis, quhomesoe he sall answer and be nane vtheris vpon all preceptis þ passis be the chancellarie. And all vtheris selingis to be geuin be famous Notaris admittit thairto and be nane vtheris.

¶ *Of the admissioun of Notaris. Ca. XLII.*

ITEM Becaus thair is in the act precedand, greit credence & faith to be geuin, to the notaris and clerkis of court. ¶ **IT IS** Statute and ordanit, that al schirreffis, Stewartis, baillies and vtheris baith to burgh and land, present thair clerkis and notaris in presens of my lord chancellar, president and lordis of counsale, to be examinat, swozne and admittit. ¶ **PROVIDING** Allways, that thay change or cheis as thay pleis. And quha that beis new chosin to be presentit and admittit as said is.

¶ *That the prothogollis of all selingis be presentit zeirlie in the chekker. Ca. XLIII.*

¶ **ITEM** Inentis the act of parliament maid of auld, quhair it is ordanit, that all schirreffis bring with thaym at thair chekker comptis anis in the zeir, ane buke containand all selingis geuin be thaym. At the leist, the day, the moneth of the geuing of the said seling, and the name of the landis contenit in the samyn, be ekit in this maner. That the clerk of court cum with the said schirref or his deputis in euery chekker, & bring the said buke with hym, subscriuit with his awin hand & signe manuale, that the samyn may remane in the registre. Swa that the kingis grace may know his tenentis, & all vtheris hauand intres, may haue recours thairto.

¶ *Of fals notaris and Vvitnes. Ca. XLIIII.*

¶ **ITEM** For punischement of fals notaris, and thaym that beis fals witnes, or þ inducis ony man to beir fals witnes. And siclike of thaym þ makis fals instrumentis, or causis mak ony fals instrumētis, or vdis the samyn wittandlie. That all sic personis in tymes cuning, be punist in thair personis & gudis with all rigour, siclike as it is prouidit be the dispositioun of the comoun law, baith Cannoun, Ciuile and statutis of the realme.

¶ *Of Notaris ordinar in the schirref court or VthirVVayis. Ca. XLV.*

¶ **ITEM** For eschewing of greit incommenientis, that daylie occurris in the reducing of proces led befoze schirreffis, Stewartis and baillies of burrowis, regaliteis and baronyis, quhair thair is oftymes, producit and schawin instrumentis contrait to vtheris (that is to say) the instrumētis

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and actis maid be the scribe of the court berand ane way. And instrumentis tane in vtheris notaris handis, berand ane vtherway, and oftymes allegiance, that wes neuir hard nor vnderstand to the Juge, his assessouris or vtheris membrys of court. **Chairfoze** in tymes cumpng. **IT IS** Statute and ordanit, that al instrumentis, notis and actis be maid and tane in the handis of the scribe and notar ordinar of the court or his deputis. And gpf ony party will haue ane notar with hym for mair securitie. At that notar passe, and stand within bar, in quhais handis it salbe lefull to ony party, to tak documentis together with the notar of court. And that ilk ane of thaym be insert witnes to vther, with ane part of the maist famous personis assessouris or vtheris membrys of court being within bar, with sic vther honest men as ar present, with certificatioun gpf this forme and fassioun be not kepit, that the instrument takin in ony vtheris notaris handis, nor the scribe of court, sal haue na faith. And gpf ye notar and scribe of court refusis to geue instrumentis, actis or notis to ony personis desirand the samyn, he sall tyne his office, and salbe callit and punist in his person and gudis at the kingis grace will.

¶ For geuing of commissiounis in preiudice of the ordinar. Ca. XLVI.

ITEM Anent ye artikle, geuin in be þ schirreffis, that quhair thay haue thair offices in heretage, & gretumlie hurt be geuing of commissiounis to vtheris officiariis, in casis pertenant to pair offices. And for remeid thairfoze. ¶ The kingis grace with the auise of his thre estatis, hes ordanit, that na commissioun be geuin in tymes cūing for seruing of breuis, apprising of landis, bot to the Juge ordinar. And gpf ony party sall happin, to geue in ony complaint, for the getting of commissiounis, for ony cause that is reasonable. The said commissioun sall not be grantit, vnto the tyme the said schirref, Stewart and baillie be warnit to heir the commissioun geuin, or ellis to allege ane reasonable cause quhy the samyn suld not be geuin.

¶ Of lesing makaris. Ca. XLVII.

ITEM Tuiching the artikle of lesing makaris to the kingis grace of his baronis, greit men and liegis, and for punishment to be put to thaym thairfoze. ¶ The kingis grace with auise of his thre estatis, ratifyis and appreuis ye actis and statutis maid thairupon of befoze, and ordanis the samyn, to be put to executioun in all poyntis. And als statutis and ordanis, that gpf ony maner of person makis ony euill informatioun of his hienes to his baronis & liegis, that thay salbe punist in sic maner, & be the samyn panis, as thay that makis lesingis to his grace of his lordis, baronis and liegis.

¶ THE

ITEM Because it is vnderstand, and weil auisitie cōsiderit be the kingis grace, & thre estatiss of his realme beand assemblit in this present parliament, that the patrimonie of his crown & reuenois thair of beand augmentit, is the greit weil and profit, baith to the kingis grace and all his hegis. And thairfore it is thocht expedient, that our said souerane lord, followand the gude exemple of his predecessour, suld annex to his crown, for þe honozable support of his estate reale, in all auenturis and cais baith in weir and pear, sic landis & lordschippis, as ar now presentlie in his handis, yat ar not annex of befoze. And the saidis landis being annext to remane ppetualie with ye crown, may nother be geuin away in fee, nor franktenement, to ony personis, quhat euir estate or degre thay be of, without auise, decreit and deliuerance of the hail parliament, and for the greit reasonable causis, concerning the weilfair of the realme, first to be auisit and degeestlie considerit, be the hail estatiss. And albeit, it sall happin our souerane lord that now is, or ony his successouris kingis of Scotland to analie and dispone the saidis lordschippis, landis, castellis, townis, donationis & aduocationis of kirkis and hospitalis with thair pertinentis to the crown as said is annext. That the alienatioun and dispositioun, salbe of nane auale. Bot it salbe lesfull to the king for the tyme, to ressaue thay landis to his awin vse, quhen euir it likis his grace, but ony proces of law. And the takaris sal refound and pay al profitis, that thay haue tane vp of thay lādis agane to þe king, for al ye tyme þe thay haue had thaym w sic vther restrictionis, as is cōtent in þe actis of pliamēt maid be his maist noble predecessouris kingis of Scotland in the annexatioun to the crown.

¶ **AND** Thairfore his hienes, with auise and counsale of his thre estatiss, hes annext to his crown, to remane thairwith in maner for said thir landis efter following. ¶ **IN THE** first the landis and lordschippis of all his Ilis, south and north. The twa kyntyris, with the castellis pertening thairto and thair pertinentis. The landis and lordschip of Erknay, zetland and the Ilis pertening thairto and thair pertinentis. The landis and lordschip of Douglas, with ye castel, tour and fortalice thair of, donationis and aduocationis of kirkis and benefices and thair pertinentis. The landis and lordschippis of Craufurd, Lindsay & Craufurd Johne. The landis and lordschippis of Bonkill, Prestoun and Tempalloun, with touris, fortalices, landis, rentis, aduocationis and donationis of kirkis. The landis of Dunsire. The landis and lordschip of Jedburgh Forest. The landis and lordschip of Kerymure with all thair pertinentis. The superiourite of all and hail the erldome of Anguse and all vtheris landis, rentis and possessionis, quhilkis pertenuit to Archibald sumtyme erle of Anguse the tyme of the said erlis forsal-

C. iii. tout

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tour, and now being in our souerane lordis handis be reasoun thair of. The landis and lordschip of Glammys, that ar not haldin of the kirk. The landis of Baky, Balmukiteis, Cannades, Dugleis, Langfozgund and Balhelweis with the Touris, Fortalices, aduocationis and donationis of kirkis and thair pertinentis. The landis of Raclewch, Duhit camp, our and nethir Howclewch. The landis, lordschip and barony of Auendale with the tour and fortalices thair of, aduocationis and donationis of kirkis, thair anneris and conneris, and all thair pertinentis, siclike as bmqhile James Hamyltoun of Synnart knyght, had & broukit the samyn, befoze the tyme of his forfaltour. The landis & lordschip of Liddisdale with the castel of Arnytage, aduocation and donatioun of kirkis and thair pertinentis. The landis and lordschip of Boithuile, with the tour fortalice and thair pertinentis.

¶ VVappinschawingis to be tuse in the zeir. Ca. XLIX.

ITEM Touching the first artikle anentis ye wapinschawing. It is thocht necessar, that wapinschawingis be maid twyse in the zeir, out thow all the realme (that is to say) in the monethis of Junii and Octobze, at sic day or dayis & place, as sall pleis the schirref, stewart, baillies, prouestis & aldermen of burrowis to assigne efter the quantite of the schyre, gylt the moustouris can not be all tane on ane day. And that thay mak warningis thairto vpon the premunioun of XX. dayis. And that the saidis moustouris be tane be the schirref of the schyre, prouest and baillies of burrowis and baillies of regalateis and vtheris commissaris, quhom the kingis grace plesis to assigne to thaym. And becaus thay haue bene sa lang out of vse of making of wapinschawing. **IT IS** Thocht expedient, that the samyn be maid thysse for ye first zeir. And the first tyme to be on the moyn efter Law sonday nixt to cum.

¶ That the army of Scotland be Vnhorsit except greit baronis. Ca. L.

ITEM Anentis the maner of cuming of all our souerane lordis liegis to weir, horsit & vnhorsit. The kingis grace vnderstandis the greit hurt, skaith and dampnage done in cumpng of multitude of horsmen thow distruction of cornis, medows and haryng of pure folkis. And als the greit impediment maid be thaym in ye hoist, quhair that all men manne fecht vpon fute. **¶ THAIRFORE** Hes statute and ordanit, that na maner of man haue hors with hym, bot be redy to gang on fute, fra the place that sall pleis the kingis grace to assigne to be the first meting and assemblyng of his army except cariage hors alanerlye. **¶** And gylt ony man cumys on horsbakke or byngis his hors with hym, except for his cariage as said is. That he incontinent send

send his hoys hame agane with ane rynnand boy, and with na fensable man o: able of person to beir wapinnis, vnder the pane of deid.

¶ PROVIDING Alwayis, that albeit this act is maid generale, the effect thair of, sall not be extendit to crlig, lordis, baronis and greit landit men, bot that thay and sic vtheris, as salbe thocht expedient be the kingis grace o: his lieutenantis, sall passe on hoysbak quhair euer the kingis grace mouis with his army.

¶ The maner of harnes VVapinnis and armour. Ca. LI.



ND As to the maner of harnes & wapinnis, and how euery man suld be armit and wapinnit. IT IS statute and ordanit, that all our souerane lordis liegis, haue wapinnis & harnes as efter followis. ¶ IN THE first, that euery noble man, sic as erle, lord, knyght & baroun & euery greit landit man, hauand ane hundreth pund of zeirle rent be anarmit in quhyt harnes, lycht o: heup as thay pleis, and wapinnit efferand to his honour. And that al vtheris of lawer rent and degre in ye lawland, haue Jak of plate, halkrik o: byt-gitanis, gorget o: pesane with splentis, panse of mailze with gluuis of plate o: mailze. And that all vtheris our souerane lordis liegis, gentilmen vnlandit and zemen, haue Jakis of plate, halkrikis, splentis, sellate o: steilbonet with pesane o: gorget. And euery man with swerd, and that na maner of wapinnis be admittit in wapinschawingis, bot speris, pyk-kis stark and lang of. VI. elnis of lenth, Leith aris, halbartis, handbowis and arrowis, crosbowis, culueringis, twa handit swerdis. And euery man to be anarmit as said is, vnder the pane of. V. li. to be tane of euery landit man .L. s. of euery gentelman, and. XX. s. of euery zeman man, als oft as thay be fundin faltous in the premissis. And becaus it is vnderstand, that thair wapinnis and harnes may not be compleittlie gottin at the first wapinschawing (that is to say) on the moyn efter Law sonday nixt to cum. ¶ THAIRFORE It is dispensit be the kingis grace, at pat mak thair schawingis and moustouris, with sic harnes and wapinnis, as thay haue o: may conuenientlie get agane the said day.

¶ Of armour conforme to euery mannis rent and substance. Ca. LII.

¶ ITEM IT IS Ordanit for wapinschawingis in burrowis, that euery man hauand ane hundreth pundis worth of geir, be anarmit in quhyt harnes, and wapinnit as landit men forsaid. And euery man within ane hundreth pundis worth of gudis, and that may dispend ten pund, be anarmit as gentilmen landit and zemen men in maner forsaid, and vnder the panis abone writtin.

¶ That

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¶ That all personis present in VVapinschawingis be VVithin VVith the
maner of their armour. Ca. XLIII.

ITEM That na fraude be maid in making of the saidis wapinschawingis, and that the kingis grace may knaw the ordour of his people. IT IS Statute & ordanit, that every erle, lord, baroun, lard & vtheris cumand to the saidis wapinschawingis, geue ye names of the psonis þ sal cum w thaim pairto in bil to þ schirref, baillie, Stewart, lord oꝝ baillie of regalite, prouest, alderman & baillies to burgh oꝝ to any vtheris, quham it sall pleis the kingis grace to geue cōmission w thaim, and that thay roll thair names in ane buke, with the maner of thair harnes and wapinis zeirle in every wapinschawingis, selit with pair abin seil, and subscriuit with thair handis, send and deliuer ye samyn to ye kingis grace, to be kept and considerit, be quhom his grace sall pleis to geue the cure thair of. And that all lordis and baillies of regaliteis, do siclike zeirle within the boundis of thair offices.

¶ The premunioun of VVapinschawingis. Ca. XLIII.

¶ **ITEM** That al our souerane lordis liegis, be warnit to the saidis wapinschawingis vpon. XL. days warning foꝝ the first tyme. And zeirle at every tyme thair efter vpon. XX. days.

¶ The chesing of capitaneis in every parrochin. Ca. LV.

ITEM That exercitioun may be had throue all the realme amongis all our souerane lordis liegis foꝝ exercing of thair personis in ordour, swa that be lering of ordour and bering of pair wapinis in tyme of pear, thay may be the mair expert to put thaim selfis in ordour hastily and keep the samyn in tyme of neid. IT IS Thocht that this artikle, is veray necessar to be prouidit. ¶ AND Thairfoze statutes and ordanis, yat every schirref, Stewart, baillies, prouest, aldermen and baillies of burrowis, lordis and baillies of regaliteis, at every wapinschawing, concut and sit down, with the kingis grace cōmissaris that sall happin to be depute to thaim, & thay together to consult with þ maist able personis of the schire, and efter that thay haue rollit the names of every man with pair harnes and wapinis, cheis ane able man foꝝ every parrochin oꝝ ma, as it is of greitnes, oꝝ foꝝ smallar prochinis ane, quha salbe capitane oꝝ capitaneis to the cumpanyis of the saidis parrochins, and sall leir thaim to gang in ordour and beir thair wapinis, and sal cōuene thair saidis cumpanyis twise at ye lest in every moneth, of the monethis of Mai, Junii and Julii. At quhat dayis thay sall think maist expedient, vpon haly dayis befoze nune. And als in al vtheris monethis geue

geue thay may gudelic & thair exerce thaym in maner forsaide . And that na man disobey the saidis personis . Capitanis to be depute and chosin as said is, vnder the pane to be punist at the kingis grace will. And that the saidis capitanis be chosin als oft, as beis sene expedient be the schirref of ye schyre, commissaris & counsaile admittit to hym to that effect .

¶ Ane generale remission grantit be the kingis grace to all his liegis. Ca. LVI.



As our soueraue lord vnderstanding the greit occasion and euil exemple for ye tyme geuin, to his lordis baronis & al his liegis, to comit and do the tyme of his les age, sic offensis and crymes of treason & vtherways quhilk diseruis greit and hie punisshement, quhilkis, as his grace vnderstandis be ye gude and trew seruice done be thaim to hym, sen his cuming to pfitte age thay wald not haue done nor comittit . And becaus his grace thinkis that he will not be vnremembred and vngrait, for the gude and thankfull seruice done to hym be his saidis erlis, lordis, baronis and liegis of all degrees, hes remittit and forgeuin, and be the tenour of this act, remittis & forgeuis to all his saidis liegis, all maner of crymes of treason done be thaym in our soueraue lordis tyme that last deceistit & his predecessouris kingis of Scotland, and in his hienes awin tyme vnto the day and dait of this present act. (The intelligence with Archibald sumtyme erle of Angus, George Douglas his brodir and vntoquile Archibald Douglas of Hillspindy thair ene sen the tyme of the geuing of dome of forfaltour aganis thaym allanerly exceptit.) ¶ AND Thairfoze exhortis & prayis presentlie, all his baronis and liegis, to be trew and thankfull subieitis vnto his hienes, as he sall not fail, to be gude, thankful and louing king to thaym . And that the copy of this act sufficientlie extractit, salbe sufficient remission, without ony vther particular writting .

D. i.



THE ACTIS

¶ IN the parliament, of the forsaide maist excellent prince and kyng, Haldin at Edinburgh the .XIIII. day of Marche The seir eschir god . M . D . and forty seiris God of all grace.

¶ For the honour of haly kirk. Ca. LVII.

ITEM To the confusioun of all heresy, that all the sacramentis be haldin and honoꝝit, as thay haue bene in all tymes bygane within this realme, conforme to the lawis and doctrine of haly kirk.

¶ For VVorschip to be had to the Virgine Mary. Ca. LVIII.



Aswa, that the glorious virgine Mary, moder of our blissit saluatour CRIST IESV, be our all this realme reuerendlie woꝝschippit and honoꝝit, and that prayaris be maid to hir, to mak intercessioun to god almychty fader, sonne and haly gaisst, for the successioun, heil, weil fair and prosperite of the kingis grace, his quene our souerane lady, and thair prosperous successioun, pear, unite and concoꝝd betuix our said souerane lord & al CRISTIN pꝛincis And betuix thaym all to resist, to the Inymys of ye faith Catholik. And betuix his grace, his estatys and liegis, and that his hienes and people may remane constantlie in þe faith, and follow þe law of god conforme to the statutis and doctrine of haly kirk, ressaue and kep it be his predecessouris kingis of Scotland and people in all tymes bypast, sen thay first ressaue the samyn, and siclike prayaris to be maid to all sanctis, in speciale and generale, and that woꝝschip be had to thaym.

¶ That na man argue the papis auctorite. Ca. LIX.

¶ **ITEM** That na maner of persoun, argun noꝝ impugne the papis auctorite, vnder ye pane of deid, and confiscatioun of al thair gudis mouable and vnmouable.

¶ The kingis grace exhortatioun in plane parliament for reforming of the kirk and kirkmen. Ca. LX.

ITEM That becaus ye negligence of diuine seruice, the grett vnhoneste in þe kirk, thow not making of reparatioun to the honour of god almychty, and to the blissit sacrament of the alter, the virgine Mary, and all haly sanctis, and als ye vnhoneste & misreule of kirkmen, baith in wit, knawlege and maneris, is the mater and cause that the kirk and kirkmen ar lychtlyt and contemptit. For remeid heir of. ¶ **THE** kingis grace, exhorts and prayis oppinly, all archibischopis, ordinaris

ordinaris and vtheris prelatis, and euery kirkman in his awin degre to reforme thair seluis, thair obedientiaris and kirkmen vnder thaym, in habit and maneris to god and man. And that thay cause in euery kirk within thair diocy, vnder thair iurisdiction, cure, reule, reparation and reparaling to be honestly and substantiously maid & done to the honour of god almychty, the blissit sacrament and diuine seruice. Euery kirk efter the qualite and quantite of the rentis. And gyf ony person allegeand thaym exempt and will not obey noz obtempre to thair superiour, in that behalf. ¶ THE kingis grace sall fund remeid thairfore, at the papis halines, and siclike aganis the saidis prelatis, gyf thay be negligent.

¶ That na priuate conuentionis be maid to dispute of the scripture. Ca. LXI.

ITEM That nane hald noz lat be haldin in thair housis, noz vtherwayis, congregationis o2 conuenticulis, to common o2 dispute of the haly scripture, without thay be Theologis appreint be famous vniuersiteis o2 admittit thairto be thaym that hes lawfull power. And in likewyse, that na man quhat sumeuir state o2 condition he be, luge, ressaue, chereis, noz fauour ony heretike. And in cais ony ressaueis o2 knawis thaym quhair thay ar, sall incontinent denunce and accuse thaym to the nixt lawfull officiar of Justice, vnder the pane to be punist as heretikis.

¶ Of personis abiurit of heresy. Ca. LXII.

ITEM Gyf ony heretikis, haue bene abiurit o2 vtherwayis, haue bene admittit lawfully to pennance and grace, name of thaim sal conuers noz comoun with vtheris of ony materis touching our haly faith, vnder the pane to be haldin as relapse. And allwa that na persoun, that hes bene suspectit of heresy, howbeit thay be ressaueit to pennance and grace, sall in this realme exerce, haue noz brouk ony honest estait, degre, office noz Iudicature spirituale noz tempozale in burgh noz without, noz na wayis salbe admittit to be of our counsale.

¶ Of fugityuis suspect and summond for heresy. Ca. LXIII.

ITEM Quhair ony beis suspectit of heresy and lawfully summond to answer of ye samyn, or fugitiue, that thay sal be banist and condampnit as heretikis. And it sal not be leful to na man to solist, procure noz mak supplicatioun for thair purgatioun, reduction o2 grace, vnder the pane to be punist as fauouraris to the heretikis, and the saidis personis fugitiuis not to be admittit to purgatioun noz vther wayis to reconciliatioun, noz sit to remane o2 conuers in our realme.

D. ii.

Allwa

THE ACTS PARLIAM.

Alſwa we forbid to all our ſubiectis, quhat ſummeſſe they be, to preſent requestis, mak any ſuplication, defend, ſupple, dite or writ, counſale, help, procur or mak aduocatioun, ſollicitatioun, labour or aſſiſt any wayis to na heretikis fugitiuis or baniſt thairfoze, or ither cōtampnate perſonis, that ar or haue bene of the ſaid reppent ſect of hereſyis to haue or impetrate any grace of thair errouris, quhill we will na way be accor- dit to thaim, vnder the pane to be puniſt as aſſiſtaris to hereſyis.

¶ That nane diſhonour the ymages of ſanctis. Ca. LXIII.



Alſwa to ſtop the priuate congregatioun and conuenti- culis of heretikis, quhair thair errouris ar ſpred, that any man that firſt reuelis incontinent or accuſis any that hes kepit the ſaid conuentionis, gylt he haue bene ane of thaim hym ſelf, for the firſt tyme he ſalbe quite and abſoluit thair of, ſwa that he be ane gude criſtyn man and haue the rycht faith, promittand hym neuer to intromet with the ſaid errouris in tyme cumpnyng, in cais he be not of the ſaid congregatioun, than he ſall haue ane part of the conſiſcacioun of hym that he accuſis, as the lordis thinkis expedient to ſtatute and or- dand. And this to be extendit, to all thaim that reuelis or accuſis any heretikis, to haue ane part of thair conſiſcacioun. And that na man may pretend Ignorance heirof, that it be cōmandit vnder panis, to all ſchir- reſſis, proueſtis & baillies of burrowis, to publiſh be oppin pclamatioun thir actis, at the heid places of thair Jurisdiction, twyle in the zeir.

¶ That nane diſhonour ymages. Ca. LXV.

¶ AND Anentis Imagis of haly ſanctis, canotiſt and appreuit be the haly kirk. IT IS Statute and ordanit, that nane byek, caſt down, nor o- up itherwayis treit Irreuerendlie, nor do any diſhonour, nor Irreue- rence to the ſaidis Images.

¶ Ratificatioun of the Inſtitutioun of the College of Juſtice. Ca. LXVI.



He kingis grace, with auiſe of his thre eſtatis of parliament vnderſtanding, that ye inſtitutioun of his college of Juſtice and actis maid thairupon, ar rycht profitable to his grace & all the hail realme. And thairfoze now eſter his perſyte age of .XXV. yeris. Hes ratifyit and appreuit, ratifyis and appre- uis for hym and his ſucceſſouris, the inſtitutioun of the ſaid College of Juſtice, and actis maid for adminiſtratioun of Juſtice thairin. And als ratifyis and appreuis, the confirmatioun, ratificatioun, approbatioun of our haly fader the pape of the erectioun of ſaid College & of ye gift of all

of all benefices, which should be given, assigned and to be assigned to the honest and discreet of the said College of Justice. And all pre-
legis, granted and to be granted thairto, be our said haly fader the pape
and his hienes. And with this assent for the causes foresaid, that the said
College and institution should remaine perpetualle, for the administra-
tion of Justice to the people of this realme, and to be honoured siclike
as any vther College of Justice in vther realmes. And about geuis and
grantis to the president, vicepresident and senatouris, power to mak sic
actis, statutis and ordinauncis as thay fall think expedient, for ordouring
of processis and hasty expeditioun of Justice. And in absence of president
and vicepresident, that the eldest in ordour of the saidis senatouris,
be president for the tyme, to effect, that thair may be na stop of Justice
ony tyme, throu absence of the said president and vicepresident.

¶ Hagbutis and Vther small Artillierie to be furnist

Within the realme. Ca. LXVII.



As for because the schot of gunnis, hagbutis, handbowis and
vther small artillerie now commonlie vsit in all cuntreis,
baith be seip and land in thair weris, is sa felloun & vneschew-
able to the pyth of hie cutrage, of noble and bailieant men,
quhais actis and dedis can not be schawin, without contrair
prouisioun be had of instrumentis of weir & battell. ¶ IT IS Herfor
statute and ordanit be the kingis hienes, with aulse & consent of the thre
estatis of his realme, that euery landit man within the samyn, sall haue
ane hagbute of found, callit hagbut of crochert with thair calmes, bul-
lettis & pellokis of leid or Irne, with powder conuenient thairto, for eu-
ery hundreth pund of land, that he hes of new extent. And he that hes bot
ane hundreth mark land, sall haue twa culueringis. And ilk man hauand
fourty pound land, sal haue ane culuering, with calmes, leid and powder
ganand thairto with tressis to be at all tymes redde, for schoting of the
saidis hagbuttis. And that euery man of leuing foresaid, sall haue ane
man or ma, as he may furneis, for schoting of the saidis hagbuttis and
culueringis, and to leir vtheris to schote ye samyn. And that euery man
haue the said artillerie esserand to his leuing, substantiallie furneit as
said is, redde within. XVIII. monethis nixt efter the publicatioun of this
act, vnder the pane of doubling the price, that will bye ilk pece of ye said
artillerie, to be applyit to the kingis grace vse, for bying of the samyn to
hym self. And þe saidis. XVIII. monethis being past, that euery man mak
his moustouris with the said artillerie weil furneit as said is, at ye nixt
wappinschawing thairefter to the takaris and ressaucaris of the saidis
wappinschawingis. The quhilk being done, thay sall not be bundin to
bying thair said artillerie to any wappinschawingis thairefter, bot gif
thay be

thay be specialie requirit thairto, be the kingis grace, byttingis, or be ye schirref or vtheris. And this ordinar by the kingis grace, And that this act be extendit, allweill to the lordis of regality and thair tenentis, as to thaim of the rialtie. And that every kirkman, surges, siclike artillerie in maner abone wyttin, to be schawin at wappinshayngis as said is, efter the auale and quantite of thair temporall landis. And that thair artillerie, remane at the castell, abbay, or maner of ye bishop, prelate or kirkman, to be kept thair & left to his successour, quha salbe baldin to bphald the samyn, for the defens of the realme. And becaus it can not be now cleirly vnderstand of ye auale and quantite of every burgh, quhas artillerie, and how mekill thay may furneis. ¶ **THAIRFORE** It is statute and ordanit, that letteris be wyttin, to the prouostis, baillies, aldermen of every burgh of this realme, signifand vnto thaim this statute and ordinance of the maner of furnessing of artillerie, to be maid be the baronis and kirkmen, chargeing thaim thairfoze, to conuene thair counsale, auise and cōclude, quhat artillerie & in quhat maner ilk burgh may perfurneis and refer agane to the kingis grace within. XV. Dats nixt efter thay be chargit thairto, that his hienes may be auisit thairwith, with certificatioun, gylf thay failze thairintill, his grace sall cause thaim to be tairt efter the auale and quantite of thair cōmoun gudis & substance, for furnessing of the said artillerie. And ordanis, that lairdis of coniunctie & liferent, sall furneis efferand to the quantite of thair leuing, for support of the baronis and vtheris landit men, in the perfurnessing of the said artillerie.

¶ For hame bringing of hagbutis. Ca. LXVIII.

ITEM Becaus nothir artillerie nor harnes, can be furnest nor maid redde conforme to the actis maid thairupon without the samyn be brocht hame be marchandis. ¶ **THAIRFORE** It is statute and ordanit, that every marchand saland furth of this realme or sendand his gudis extending to ane last of gudis, sall bring hame als oft as he salis, or sendis his gudis, at every tyme twa hagbuttis of crochert or ma, as his pak may furneis, with pouder and calmes for furnessing of the samyn, or ellis allmekill mettall, as will mak the saidis hagbuttis with pouder efferand thairto. And siclike harnes, for furnessing of our souerane lordis liegis, in maner forsaid.

¶ For Inbringing of the kingis grace propirte and casualteis. Ca. LXIX.

ITEM For inbringing of our souerane lordis propirte and casualteis seirlye to his chekker, swa that his thesaurar and comptrollar, may weill be furnest, for perfurnessing of al sic thingis quhilis pertenis to thaim to do. And that in tymes cumpng, sall haue na cause

na cause to compleyne, but in their own default and negligence. ¶ IT IS
 herfoze statute and ordanat, that all schirreffis, stewardis, customaris,
 chalmerclanis and vtheris intromettouris with our souerane lordis pro-
 pirtie. Compeit at every chequer quhill it salbe haldin for the tyme, and
 mak thair comptis and paymēt Equit with the rollis, befoze thair
 departing, ilk ane for thair own part, safer as thay intromettit with or
 mycht intromet be reason of thair office, doand thair diligence thairto,
 vnder the pane of working of thair personis, thair to remane induring
 the kingis will. And as for the casualiteis, ordanis all schirreffis, stewardis,
 baillies and vtheris, that aucht to mak compt, reckning and paymēt
 of the samyn. To compeit seiklie in the chekker, be thaym seluis or thair
 sufficient deputis, at the day assignit to thaym be the precept, and thair
 mak compt, reckning and paymēt of al sic casualiteis, and do thair vter
 diligence thairto, be the consideratioun of the lordis auditouris, and de-
 part not quhill thay haue done the samyn, vnder the pane foresaid.

¶ *Anentis committaris of slaughter mutilatioun and resset of
 the kingis rebellis. Ca. LXX.*



¶ *Alwa anentis the executioun of ye actis of parliament maid
 of befoze, be our souerane lordis progenitouris, vpon thaym
 that committis slaughter & mutilatioun, and for apprehensioun
 of our souerane lordis liegis rebellis, and diligence to be maid
 thairin be schirreffis and vtheris officiaris of þ realme baith
 in regalite and rialte. IT IS Statute & ordanat, that the actis maid pair
 vpon of befoze, be put to execution in all poyntis, and that al schirreffis,
 stewardis, baillies and al vther officiaris, baith to burgh and to land all
 well in the regalitie as in the rialtie, do thair diligence to serche and sek
 all our souerane lordis rebellis and being at his hoyme quhaircur thay
 may be apprehendit within thair bailliereis, tak and bring thaym to our
 souerane lordis Justice, to be Justifyt for thair demeritis, vnder þ pane
 of tinsale of thair offices for thre zenis, gif thay haue the samyn in here-
 tage. And gif thay haue the samyn for zenis, to tyme the samyn for euir, &
 to be accusit vpon thair diligence in that behalf in ye Justice airis or at
 vther perticular diettis, as sal pleis the kingis grace. And þ na maner of
 man within this realme, wilfullie or wantankie, resset, supplie, mantime, de-
 fend or do fauouris, to ony of our souerane lordis rebellis, and beyng
 at his hoyme within thair hous, landis, boundis or baillieris, vnder the
 pane of deid and confiscatioun of al thair mouable gudis, and to be cal-
 lit & accusit heirupon, other at Justice courtis, or pticular diettis as said
 is. And gif the officiaris of þ regalitie, beis fundin negligēt (thay being
 requirit heirto) it salbe lesul to the kingis schirreffis to put ye saidis ac-
 tis to execution within þ said regalite efter þ forme & tenour of þ samyn.
 And þ ye Justice clerk inquire diligētlie heirupon, & tak dittay as efter.*

¶ For

¶ For stanching of stonk theif and reif. 1104. 101. LXXI.



Aswa becaus, the crymes of theif, swath and reif, is sa comounlie vlit amangis pe kingis liegis, and for stanching of the samyn. IT IS Statute and ordanit in this present parliament, that quhe so ever of pe kingis liegis is playntous and compleyns vpon any theif, that he hes rest or stollit his gear or his menims, and is in seruice or obeysance of any man, and schawis the samyn to the man that he is in seruice with, and wald attache hym to ye law for the samyn. This man that this theif or reuar, is in seruice with or findis hym with hym, or vnder his obeysance, salbe halbin & oblist, to produce and bring þe theif to the lawis, befoze þe Justice, schirreffis or any vtheris that hes cognitioun, to do Justice vpon sic personis, comittaris of sic crymes at daies and placis assit to thaym, to vnderly the samyn, or ellis fall deliuer the said theif and reuar to the compleynar, to be brocht to the law & Justifyt as said is. And gyt the master or susteynar of this theif or reuar refusis to do the samyn. He salbe halbin art and part takair of his euil dedis, and salbe accusit thairfoze, as ye principale theif or reuar. And als fall restoze and satisfy to the compleynar, the gudis rest and stollin fra hym. And gyt this compleynar, efter that he haue attarchit this theif, or be deliuerit to hym as said is, wald concord with þe said theif, and tak thifsbute and put hym fra the lawis, in that tair he fall vnderly the lawis, and be accusit thairfoze, as the principale theif or reuar. And gyt he attarchis and accusis hym of the said thift and reif and beis fundin innocent thairof. The said compleynar, salbe halbin and oblist, to geue to the said man (that he schlanderis innocenelle) ten pundis for amendis of the said schlander.

¶ For Escheuing of derth of Vittalis flesche and fische. Cx. LXXII.



Aswa IT IS Statute and ordanit, that na maner of person to burgh nor to land, bpe any maner of fische in market nor vther places, to pak or pele quhill. XI. hours of the day, and fra. XI. hours, to the houris efter nune, it salbe lesun to bpe fische, and pak or pele the samyn, as thay think maist expedient. And nottheles, pat al our souerane lordis liegis, cagearis & vtheris within þe tyme of þe day, be seruit for that money of fische to þe furnelling of ye cuntrie. And siclike, fra twa houris efter nune to for houris at euin, it sal not be lesun, to bpe, pak or pele þe saidis fische, bot þe al our souerane lordis liegis at þe saidis tymes of day, may be seruit of all maner of fische and bpe

and bye the samyn for pair siluer, for sustentatioun of thair hous and seruyng of the cuntre about. And that na maner of person in this realme marchand or vtheris, send or haue ony maner of quhyte fische furth of the samyn, bot it salbe lesun to straungearis to cum within this realme to bye the samyn fra marchandis and fremen of burrowis, with reddye gold and siluer, or be bartouring of sufficient marchandice with þe saidis marchandis, or with the abnaris thair of for thair sustentatioun necessaris of thair housis alanerlie. And quhair ony psonis hes ony fische pakkit or pelit, that thay be reddy at all tymes to sell the samyn to al our souerane lordis liegis for furnishing and sustentatioun of thair house and the cuntre, vnder the pane of confiscatioun of the samyn. And to stop the rpsing of prices in marktis within burrowis. ¶ IT IS Statute and ordanit, that the prouestis, aldermen and baillies of burrowis on euery market day, passe and bise the marktis and set ane price on all maner of fische accordyng to the tyme. And that thay diligentlie inquire, gif ony maner of person geuis arlis or money on ony maner of fische, that cumys to the market, to the effect, that ye samyn may be sauld vpon ane heare price, that thay tak & punishe the saidis personis, as coparis, foitstallaris and regratouris aganis the comoun weil.

¶ Tuiching the crown of Vvecht. Ca. LXXIII.



¶ Alsua auentis the articule makand mentioun, that the crown of the sonne, is comounlie refusit within this realme (it wantand ane grane of the wecht) howbeit the samyn hes passage in vther cuntreis, and specialie in þe realme of France, it weyand the crown of the king. ¶ THAIRFORE It is thoct expedient for ye comoun weil, that na maner of pson within this realme, refuse to tak the said crown of wecht in payment, or for change for vther money efter the forme of the kingis grace proclamatioun, suppose ye samyn want ane grane alanerlie, vnder the pane to be callit and accusit as brekaris of the said act of parliament. And becaus sindry personis hauand quhyte money, wil not change for gold, bot takis pairfoze .XII. s. or mair for willilling of ye samyn, in hie contemptioun of our souerane lord and his auctorite. ¶ HEIRFORE IT IS Statute & ordanit, that all maner of personis, hauand quhyt money, that thay redbely change all maner of gold contenit in our souerane lordis cry, of the prices contenit in the samyn, without taking of ony maner of money thairfoze, vnder the pane forsaide, and to be accusit as oppressouris of our souerane lordis liegis. And that na maner of man tak vpon hand, for to ronge ye crown of wecht or ony vther gold of wecht throw pretence of this act, vnder the pane to be accusit and punist as falsaris of the kingis grace money, conforme to the comoun law and statutis of the realme.

¶ For

THE ACTS

¶ For stancheing of derth of VVyne, salt and tymmer. Ca. LXXIII.

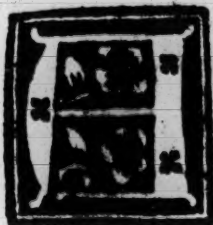


Aswa tuiching the exhorbitant derth & prices of wyne, salt and tymmer. IT IS Statute and ordanit, that the pꝛouest, baillies and counsaile of burrowis, quhair ony schippis oꝝ strangearis arriue, oꝝ sal happen to arriue, in tymes cumyng, ladin with wyne, salt oꝝ tymmer, conuene with the marchandis that aȝ y^e saidis wyne, salt and tymmer, and bye oꝝ set ane pꝛice vpon the samyn reasonable, and that na maner of man freman oꝝ vnfreman, bye ony of the saidis wyne, salt oꝝ tymmer, bot fra ye saidis pꝛouest and baillies oꝝ aȝnaris thair of (and the pꝛices being maid be thann as said is) na man to bye quhill the kingis grace be first seruit, and his grace and officiaris being contentit foꝝ samekill as will pleis thaym to tak to our souerane lordis hie alanerly, that all nobil men of the realme, sic as pꝛelatis, baronis and vtheris gentilmen of the samyn be seruit of the samyn pꝛices. And thairefter all and sindry our souerane lordis liegis be seruit vpon the saidis pꝛices. And gȝf ony man cumys in contrait heirof, oꝝ foirfallis the saidis wyne, salt oꝝ tymmer, the samyn to be eschetit to the kingis grace. And gȝf the pꝛouest, baillies and counsaile beis fundin negligent in the exercing of thair offices, thay to tyme the samyn and not to bꝛouk office noꝝ honour foꝝ the space of thre yeris thairefter. And gȝf ony freman oꝝ vther scottis man, dwelland within this realme, byngis hame ony wyne, salt oꝝ tymmer vpon thair aȝuin aduenture, that the pꝛouest and baillies of burrowis at the entre of the schippis in the bukis of the toȝn, see & consider thair marchand billis, and how ye saidis wyne, salt and tymmer wes coft and sauld, and siclike consider thair vncoftis and fraucht, and thairefter set ane compttent pꝛice, how the samyn may be sauld, and as thay ordane, that the samyn be sauld, of the samyn pꝛice and na hiear. And that the pꝛouest and baillies do diligence to inquire and get wit in dew tyme of zeir, how wyne, salt and tymmer is sauld and coft in vther cuntreis, that thay may mak the pꝛices the better, efferand to the gudnes of the stufte.

¶ Tuiching the hospitalis. Ca. LXXV.

ITEM Anentis the hospitalis. IT IS Deuisit, statute and ordanit, that the actis of parllament maid that rupen of befoze, be our souerane lordis maist noble progenitoris, be put to execution in all puntis, and that certane visitouris be maid to the effect, that thay may passe & consider the fundatioun of all hospitalis, and to cause the samyn be kept conforme to the said fundatioun, and the saidis visitouris to be nampt be the kingis grace.

¶ For



Along touching the reparations & mending of difformyteis within the town of Edinburgh, and spetialie, quhair thair is comoun passage & eitis, quhairby all strangeis & bitheris our sowerane lordis liegis, passis and repassis. It is thocht expedient, and als it is ordanit, that the prouest, baillies and counsaile of Edinburgh, gar warne & charge all maner of personis, that hes ony landis, bigungis and waitis vpon the west syde of Leith wynd, That thay within zeir & day, big and repair honestlie thair saidis waitis and rupnous housis. And that thay begin to the samyn within thre monethis, and that thay end the samyn within zeir and day, or ellis sell the samyn to vtheris to be biggit, within þ said space. And to charge thaim that at knawin personalie and all vtheris be oppin proclamatioun at ye market croce of Edinburgh, with certification to thaym and thay failze, the saidis prouest and baillies, sall cause the saidis landis, tenementis and waitis to be apprisit, and sall sell the samyn to ony þ will bye thaim and pay the pricis thair of, to the awnaris. And gif na man will bye thaym. It salbe lesull to the saidis prouest and baillies, to cast down the saidis wait landis, and with the stufte and stanis pair of, big ane honest substantiall wall, fra the port of the nethir bow, to the Crinite collage. And it sall not be lesull in tymes cumpng, to ony maner persoun to persew thaym, no; thair successouris thairfore, no; pretend ony rycht or interesse thairto in tyme to cum, nothir for the principale land, no; for annuellis awing furth thair of. And becaus the Est syde of the said wynd, pertenis to the abbot and conuent of Halyrudehous. It is ordanit that the baillies of the Cannougait, gar siclike be done vpon þ said Est syde. And als becaus of the vilite, that cumys be slayng of flesche be the fleschouris dwelland on the Est syde and tempng interellis of beistis, generand corruption. It is thairfore ordanit, that the samyn be forbiddin; be the prouest and baillies of Edinburgh & Cannougait, vnder ye paine of confiscatioun of all sic flesche, slane be thaym in maner forsaid.

¶ Anent the meile market of Edinburgh. Ca. LXXVII.

ITEM Becaus ye market of meile, and vtheris bittalis of ye town of Edinburgh, is comoun vpon the hie gait to the sycht of all maner of personis strangeis and vtheris, and that ane multitude of vyle, vn timerly & miserable creatouris, conuenis to the said market dayly, to get thair sustentatioun and leuing. ¶ **THAIRFORE** It is thocht expedient, that þ said meile market be remouit of þ hie gait, in sum honest, ganand & conuenient place, quhair the nychtbouris of the said town & vtheris ye kingis liegis may conuene, for selling & bying of sic bittalis in tyme to cum.

¶ **THE**

THE ACTIS

¶ THE panis of Iugis that dois VVrang. Ca. LXXVIII.



VVA IT IS Statute and ordanit, that for sa mekil as it hes bene heuely murmurit to our souerane lord, pat his liegis hes bene greitly hurt in tymes bygane be Iugis, baith spiritual & tempozale, quha hes not bene alanerly Iugis, bot plane solistaris, partiale counsalouris, assistaris and pattakaris with sum of ye partpis, and hes taue greit geir and profite.

¶ THAIREORE IT IS Statute and ordanit in tymes cumpng, that al Justices, schirreft, lordis of sessioun, baillics of regaliteis, pro-

uest and baillics of burrowis and thair deputis, and all vtheris Iugis spirituale and tempozale, allweil within regaliteis as rialtie, sal do trew and equale Justice to all our souerane lord's liegis, without ony partiale counsale, rewardis or buddis taking forthir than is permittit of ye law, vnder the pane of tinsale of thair honour, fame and dignite gyl thay be taintit and conuictit of the samyn. And gyl ony maner of persoun murmuris ony Iuge, tempozale or spirituale, allweil lordis of ye sessioun as vtheris, and preuis not the samyn sufficientlie, he salbe punist in sembla bil maner and soyt, as the said Iuge or person quham he murmuris, and sail pay ane pane arbitrale, at ye will of ye kingis grace or his counsale, for the infaming of sic personis. ¶ PROVIDING Alwayis, gyl ane spirituale man failzeis, that he be callit befoze his Iuge ordinar.

¶ Prouisioun and panis of thaym committ and fraude in the alienatioun or Vther VVayis. Ca. LXXIX.

ITEM For eschewing of inconuenientis, that oft and diuers tymes happinnis in this realme of the new inuentit craft and fallate comittit and done dayly be thaym that sellis thair landis or disponis ye samyn *ex titulo oneroso* that puttis thair barnis or vther freind and persoun in stait of the samyn, befoze the dait of the selling or geuing thair of to vtheris as said is. ¶ HEIRFORE It is statute and ordanit, that quha sellis and disponis ony landis or annuall rentis to ony maner of persoun, for ony cause quhair warrandice may fall, and puttis vtheris in priuate stait thair of, not be resignatioun in þ kingis grace handis, nor be confirmatioun with precept past furth of ye chancellarie, nor be plane resignatioun in the ouir lordis handis, or confirmatioun of the ouir lord. And the person, that happinnis to get thir landis and brou his the samyn peaceably zeir and day be laubozing, manuring and bytching of the malis, profitis & dewiteis, and swa kennyt heretable possessor

four thair of zeir and day, the person or personis, hauand priuate stait & seling of the saidis landis, sall neuit be hard, to clayme the samyn, aganis ye secund heretable possessor for ony cause, bot to ples his interelle aganis the priuilege geuar & his airis. And the person sellar or geuar, to be callit and declarit infame, at the kingis grace instance, and to be punist in his person and gudeis, at the kingis grace will and plesour. And gif the ony of this remanis double resignatiounis wittandly, to the effect abone writtin, thay to be punist siclike. And this act to be extendit to thaym, that makis double alledatiounis, and double assignatiounis.

¶ The remeid aganis thaym, that lye out of thair landis and vwill not entre, in defraude of thair creditouris. Ca. LXXX.



AND Anent the remeid to be put, to the fraud dayly committit be heretouris of thaym that ar deid, & ar awand greit solowis of money to sundry personis thair creditouris, and the saidis airis fraudfully lye furth, and will not entre to pair landis, swa þ thay may be distrenzeit for the saidis dettis, in cais thay be not distrenzeable in vtheris mouable gudeis. ¶ THAIRFORE It is statute and ordanit, that letteris salbe direct be deliuerance of the lordis of counsaile, and at the instance of ony complenar, to comand and charge the saidis heretouris (thay beand of perfite age) to entre to thair landis, zeir and day being past, efter the deceis of thair fader or predecessouris, quhom to thay succed, to entre to the samyn, within .XL. days nixt efter thair charge. And failseing thair of, letteris salbe direct to the schirref of the schire and his deputis, to apprise the saidis landis to the saidis creditouris, for ye saidis dettis (gif thay be liquide). The quhilk processe of apprising, sall haue als greit strength, force and effect, as the saidis airis, war enterit thairto, and the saidis apprisit landis, to be haldin of the immediat superiour thair of. ¶ PROVIDING Alwayis, that it salbe lesun to the saidis heretouris and thair successouris, to redeme the saidis landis, within seuin zeiris, conforme to the act of parliament, maid thairupon of befoze, and efter the tenour thair of in all punctis.

¶ Anent the priuilege of burrowis. Ca. LXXXI.

ITEM It is statute and ordanit, that the auld priuilege of burrowis, be obseruit and kept, anentis marchandis and merchandise, conforme to our souerane lordis lawis, statutes and actis of parliament maid of befoze, and ratifyis and confermes the samyn in this present parliament with all priuilegis grantit to thaym be our souerane lord, and his maist noble progenitouris of gude mynd, quhome god assoilze.

E.i.

¶ Of

THE ACTIS

¶ Of pakking and peling. Ca. LXXXII.

ITEM It is statute and ordanit, that na person vse pakking noꝝ peling of woll, hydis noꝝ skynnis, loise noꝝ laid outwith fre burgh and priuilege thair of.

¶ Anent furth hauing of money of the realme. Ca. LXXXIII.

ITEM Our souerane lord, with auise of thre estatys of parliament, ratifyis and approuis, the actis & statutis maid of befoze, anent the furth hauing of money, furth of ye realme, be prelatis, kirkmen and vtheris, in furnessing of thair expeditionis and besynes, bot that the finance thair of, be maid be marchandis.

¶ Of mesouris for fische. Ca. LXXXIII.

ITEM IT IS Staute and ordanit, that ane bynd and mesour be maid for salmond, hering and keling. And that the samyn be kept thow all the realme. And þ the said mesour, be conforme to the actis of parliament, and to that effect, that ilk cowpar haue ane birning Irne of his mark, to mark ilk barell, and siclike þ town to haue ane sercheour, quhilk sall haue the townis mark in keeping, to birn ilk barell, swa that our souerane lordis custome thair of be not defraudit. And gif ony fische, salmond, hering oꝝ keling, beis found in sic barellis vnmarkit, the samyn to be escheit, and siclike ye tume treis, that ane half to our souerane lord, and the vther to the town.

¶ The panis of thaym that tynis the pley. Ca. LXXXV.

ITEM It is statute and ordanit, yat gif ony person persewis ane vther within burgh, that the tynar of the cause, pay the wyndaris expensis, to be modifit be the Juge, conforme to the comoun law, and dayly practike of the lordis of counsale.

¶ Anentis conduction of craftis men. Ca. LXXXVI.

ITEM Becaus it is heuely murmure, that all craftis men of this realme, and specialie within burrowis, vdis sic extortion vpon vtheris our souerane lordis liegis, be reason of thair craftis and of priuate actis and constitutionis, and amangis thaym seluis contrair the comoun weil, & in greit hurt, preiudice dampnage & schait to al the liegis of this realme. ¶ THAIRFORE It is statute & ordanit, that in all tymes cumpng, it salbe lesun to all our souerane lordis liegis, that hes ony biggingis oꝝ reparationis to be maid, for making of policy in this

in this realme other to burgh or to lād, to cheis gude craftisinen, fre men or vtheris, as he thinkis maist expedient for ordoring, bigging & ending of all sic warkeis. And gif ony craftisinen begynnis the said warke, & delays to end the samyn, that the person that causis to big the said warke, or reparatioun for said, to cheis and tak vtheris in thair places als oft as neid beis, to pfurnes & end furth þ said warke for policy of the realme. And þ na impediment be maid to sic craftisinen, vland pair craft as said is, be ony vther of the said craft within this realme, vnder the pane of tinsale of thair fredome and bzeking of the actis of parliament. And yat the prouest and baillies of al burrowis, tak inquisitioun heitupon & put this act to executioun in all punctis.

¶ For drawaris of claith. Ca. LXXXVII.



Aswa IT IS Statute and ordanit anentis drawaris of claith and listaris of fals colouris. That in every burgh, thair be ane qualificit man chosin, to seil al claith and sall haue for his labour of ilk steik seling. XII. d. And gif ony drawaris of claith, beis apprehendit, that ane half of the saidis gudis, to be our souerane lordis escheit, and the vther half to ye burgh, & the said drawaris within burgh, for ye first salt, to tyne thair fredome for zeir and day. And for ye secund salt for euir, and siclike of thaim outwith burgh ding- and calk, cresche, flaland or cardand claith, that the samyn be escheit, and thay haldin to refund the skaith to the awnaris. And gif the said selar beis fundin culpable seland vn sufficient colour or drawin claith, he to tyne his fredome, and to be punist in his person and gudis.

¶ For foirstallaris. Ca. LXXXVIII.

ITEM It is statute and ordanit, gif ony foirstallaris be apprehendit, foirstalland ony maner of marchandise, but talis, pultre or gudis quhat sumeuir within the fredome of burgh, that the officiaries of the said burgh escheit the samyn, that ane half to our souerane lordis vse, and the vther half to þ burgh, conforme to þ act of parliament maid heitupon of befoze. And yat na vther officiar haue power thairto, within the boundis of fre burgh.

¶ Anentis VVeichtis. Ca. LXXXIX.

ITEM It is statute & ordanit, that na burgh haue ane wecht to bye with, and ane vther to sel different in wecht pair fra, bot that all burrowis haue ane vniuersale wecht of the stane, baith for bying and selling of all stufte in tyme to cum.

C. II.

¶ Annexatioun

¶ Annexatioun of landis to the crown. C. XLXXX.



VR Souerane lord with advice & consent of his thre estatys, has annexed the landis vnder writtyn, to remane perpetualle with his grace and his successours, as patrimonie of his crown, with all clausis, restrictions & prouisions, siclike as is contentit in ye annexatiounis of vtheris landis maid be his hienes in his last parliament, & be his predecessours kingis of Scotland. And will þe the samyn be holdin as for expres in this present act. Of the quhilkis landis the names followis (that is to say). All & hail the landis of Cromar, and Bay of Mar. All & sundry þe landis of Hinderland with þe tour & fortalice of the samyn & thair ptinentis, aduocatiounis & donatiounis of kirkis & chaplauris. All & sundry the landis and barony of Estwemys, tour and fortalice of ye samyn, aduocatioun & donatioun of kirkis, tenentis, tenandris, partis, pendiclis, annexis, connexis and ptinentis thair of. And al vther & sundry landis, quhilkis pertein to vniuersite James Coluile of Estwemys kurch, the tyme of his deceis & now pteining to our souerane lord, be reason of dome of forfaltour geuin thair upon. And als the landis of Bukhaupn, except san:ekil thair of, as pleis the kingis grace, to geue to ye abbot & conuent of Dunfermling in excambium for ane part of thair landis of Wester Kyngorne beside ye birnt Iland conform to ye charteris to be maid thair upon. And als except it salbe lesun to our said souerane lord, to set his said annexed landis in feu, for augmentatioun of his zeirlye rent, conform to ye act of dissolutioun maid in this present parliament.

¶ The dissolutioun of the Vnioun, for setting of feu. C. LXXXI.

ITEM Becaus it is thocht be the kingis grace, & ye hail thre estatys of his realme, that þe setting of his landis baith annexed & vnannexed in feu, is to the greit profit of his crown, swa the samyn be maid in augmentatioun of his rentale. IT IS Thairfore statute and ordanit be our said souerane lord & his thre estatys of this present parliament, that it salbe lesun to his hienes, to set all his propre landis, baith annexed & vnannexed in feuferme, to ony pson or psonis, as he pleis swa that it be not in diminutioun of his rentale, grauntis or ony vther dewties, bot in augmentatioun of þe samyn, and to set thaym with sic clausis as he thinkis expedient. And to be geuin accordyng to þe condition forsaide. And þe the landis, that he settis in his tyme as said is, to stand perpetualle to the airis, efter the forme of thair condition. And þe this statute indute for þe lifetyme of the king our souerane lord þe now is alanerlie, swa that the landis that he settis in his tyme with þe conditionis forsaidis, sal stand perpetualle. And efter his deceis þe annexatiounis quhilkis ar maid of be fore, sal retorne agane to the awin nature, swa that his successours sall not haue power, to annalie nor set in feu mair than thay had before the making of this statute.

THEIR

THEIR FOLLOWYIS CERTANE ACTIS AND CONSTITV-
 tions, maid be our sowerane lord king IAMES the fyr, VVith awyse of his thre
 estatis, in diuers his parliaments, in his les age. And noVV sene our agane
 be the lordis of his counsell, and fundin be thaim, gude and rea-
 sonable. And thairfore ordanit be our said sowerane
 lord, to be collectit, ratifyit and approuit
 be his hienes, and ordanit to be insert in the bukis of
 his presens parliament, to be geuin furth VVith the laif of his
 actis of parliament. And notheles, the strenth and effect of thaim to here
 bene sen the first constitution.

¶ That na faith be geuin to euidentis selir, VVithout subscription
 of the principall or notar. Ca. LXXXII.



IT IS Statute and ordanit, that becaus mennis
 selis may of auenture be tynt, quhairthow greit hurt
 may be herit to thaim that are the samyn. And that
 mennis selis may be fenzeit, or put to wyttungis efter
 thair deith, in hurt and preiudice of our sowerane loz-
 bis liegis. ¶ THAT Thairfore, na faith be geuin in
 tyme cumyng, to ony obligatioun, band or vther wryt-
 ting vnder ane sell, without subscription of hym that alye samyn and
 witnes, or ellis qyt the party can not wait, with the subscription of ane
 notar thairto.

¶ Anentis birnyng of cornis, rasing of fyre and reuiling
 of VVemen. Ca. LXXXIII.

ITEM IT IS Statute and ordanit, that the comittaris of ye
 crymes of fire rasing and reuiling of women, be put
 vnder sauerie to the law, like as ye crymes of slaughter and mutilation.
 And in cais of nonfending of thairselis, to denunce thaim rebellis, like as
 men flactis. And als becaus the birnyng of cornis in barnyardis, is a
 greit offence aganis the common wele. ¶ THAT Thairfore, thair be ne-
 uir respit nor remission geuin in tyme to cum, to ony persons that hit
 nis cornis in flakis or barnis, bot the comittaris thairto, to be Justifit
 to the beid, or banis the realm to euer.

¶ Anentis the mair that brekis or passis contrare the kingis grace priuileges
 grantit to him be the sen of Rome. Ca. LXXXIII.

ITEM Anentis the article maid to prouide, how the kingis
 and baronis, maid aganis thaim that contrare the
 kingis priuilege grantit to his predecessours & successors, be the tyme
 of some and specialle temporal men, that at contrare the kingis grace in
 lychtlyng

THE ACTIS

lychtynge of the kingis auctorite, makis finance and furnessing to the personis brekand and hurtand, our souerane lordis priuilege, quhat our salbe takin aganis scottis clerkis, remanand in Rome, that stand contrar our souerane lordis priuilege. ¶ IT IS Statute and ordanit in this present pliament, that the statutis & actis maid thairupon of befoze aganis thaym passand contrar our said souerane lordis priuilege, be obseruit and kepit in tyme to cum. And that dittay be takin vpon the brekaris of ony of the saidis actis to vnderly the law for ye samyn, the thrid day of the next Justice air of the schire, quhair the brekaris dwellis, or vpon. XV. dais warning, befoze our souerane lordis Justice principale or his deputis, quhen and quhair thay salbe summond thairto, be our souerane lordis letteris, swa pat Justice salbe extremelie done vpon yame passand incontrar the priuilege, grantit to the kingis hienes, & brekand the actis and statutis maid thairupon, efter the foyme & tenour thair of.

¶ The nerrest of the kin, to haue the gudis of the ym that deis without. ¶ Without preiudice of the Quot. Ca. LXXXV.

ITEM Anent the article proponit for samelie as offymis, among personis deis, that may not mak testamentis, the ordinaris blis to geue thair executouris thair gubis, quhair his intrometis thairwith, and withdrawis the gudis for the ym that deis, that said haue the samyn be the law. ¶ IT IS Statute and ordanit, be the thre estatis of this present parliament, that quhair ony sic personis deis within age, that may not mak thair testamentis, the nerrest of thair kyn to succed to thaym, fall haue thair gudis, without preiudice to the ordinaris anent the Quot of thair testamentis.

¶ That na legate be ressaunt in this realme. Ca. LXXXVI.

ITEM It is statute and ordanit, be the thre estatis of this present parliament, that na legate, nor legation, be ressaunt in this realme, bot be auise of our souerane lordis, and undecidid be yame for the comoun weill of the samyn. ¶ IT IS Statute and ordanit, be the thre estatis of this present parliament, maid thairupon of befoze.

¶ Three marker dayis for selling of bread in Edinburgh. Ca. LXXXVII.

ITEM Becaus of the greit repair in Edinburgh, thair relding of our souerane lordis, his housis and beheris stran gearis, and it is necessar, that thay be mair at hand, quhair sufficient. ¶ THEREFORE IT IS Statute and ordanit, that thair be onlie thre marker dayis for selling of bread in Edinburgh, thair to say, on Monday, Wednesday, and Friday, and on thair dayis, it salbe full to all our souerane lordis, his housis, and beheris, and to land, to cum.

byon the said market dayis, to the said town, and sell thair byeid for red-
dy money, without trouble or Injuris, to be done to the personis cumand
with thair byeid to the effect foresaid,

¶ Thre market dais for selling of flesche. Ca. LXXXVIII.

ITEM It is statute & ordanit, that thair be thre market dais
ouklie in the said town, for selling of flesche (that is to
say) sonday, monunday & furisday ouklie, all maner of personis, baith to
burgh & to land, salbe fre to cum & sell flesche for redde money, for þe fur-
nelling of our souerane lord and his liegis, and vtheris reparand to the
said town.

¶ For talloun. Ca. LXXXIX.

ITEM Forsamkill, as it wes statute & ordanit of before, that
na talloun suld be had furth of the realme, for the es-
chewing of derth of the samyn. Notheles the talloun is careit furth in
greit quantite, quhilk hes casit excedand derth in the cuntre, putand the
stane of talloun, to ane double price or abone. ¶ THAIRFORE IT IS
Statute and ordanit in this present parliament, that na person nor per-
sonis, tak byon hand in tyme to cum, to cary ony talloun furth of the re-
alme, vnder the pane of tynsale of all thair gudis mouable, cumand in-
contrat heirof. And þe al custumaris at euery port of the realme, quhair
schippis ar frauchtit, mak sercheouris, to serche & seik all schippis, and
quhair ony talloun beis schippit or brocht to þe schippis, to be careit furth
of the realme to escheit the samyn (that is to say) that ane half to thair
awin vse that apprehendis the talloun, and that vther half to our soue-
rane lordis vse. And that the custumaris mak compt heirupon zeirly in
the chekker. And als that thay aduerteis our souerane lordis thesaurar
of the personis awnaris of sic talloun escheit, swa that he may inbyng
the remanent of pair gudis mouable to our souerane lordis vse, for thair
contemptioun. And in the same, that na maner of man, fleschour nor v-
rhetis, to burgh nor to land, tak byon hand, to ryde, milt nor barell tal-
loun, vnder the pane of tynsale of all thair gudis.

¶ Of the yurth comys for the kingis money. Ca. C.

ITEM Forsamkill, as diuers with his guill awlit personis, fencis and
counterfatis our souerane lordis money, quhilk may result in greit
dampnage of this realme, without remede be prouidit thairfor in tyme.
¶ THAIRFORE It is statute and ordanit, that al prouentis, auditors,
baillies and officiariis of burrowis, serche & seik byon all market dayis
and vther tymes, for fals money, and fals count, and fals bying or send pame
to our souerane lordis Justice, to be punyit for thair demeriteis, efter
the forme of the lawis of the realme, maid byon fals cumeouris.

¶ Anentis

THE ACT IS

Anentis thaym, that takis places of bischoppis and abbais efter
thair deceis. Ca. .C.I.



And in the first, for the honour of GOD and
haly kirk, our souerane lord with aulsc of the
thre estatis. ¶ **ORDANIS** That the fre-
domes, priuilegis and Immunitis of haly
kirk, and all spirituale persons, be obseruit
and kept in honour, worschip and dignitie,
for ye tyme of our souerane lord that now is,
like as hes bene in the tyme of his maist no-
bil progenitouris of gude mynd, quhom god
assolze of befoze, with this additioun. That
for samekill, as quhen prelatis, sic as bischop
rikis or abbays, happinnis to vaik. The nominatioun thair of, pertenis
to our souerane lord. And the prouisioun of the samyn, to our haly fa-
der the pape. Neirtheles, euil disposit personis in trublis tymes, hes
put handis and takin bischoppis castellis, palices and fortalices at thair
awin hand, be pair awin auctorite and but our souerane lordis comand,
consent or letteris, at tymes quhen bischoppis vaikis and vtheris, and
inlikewyse enteris in abbais and takis thaym, and puttis the samyn in
keping in secular mennis handis, but consent, comand or letteris of the
kingis grace, and als but comand aulsc or desire of the conuentis of
sic abbais, in hie displeour of god almychrine, our haly fader the pape,
and in hie contemptioun of our souerane lordis auctorite, quhairthrou
the kirk and kirkmen ar heuely hurt and dampnagit. ¶ **THAIRFORE**
IT IS Statute and ordanit in this present parliament, that quhatsum-
euer person or personis, in ony tyme to cum takis ony bischoppis placis
castellis or strenthis, or enteris be thair awin auctorite in abbais, to hald
tha placis, but our souerane lordis comand, letteris or chargis, or desire
of the conuentis thair of, at tymes quhen sic bischoppis or abbais vaik-
kis, or ony vther tyme thay not vaikand but the kingis auctorite. They
fall incur the cryme of treason and lese maieste, and salbe callit thairfoze
at the kingis plesour vpon thair forfaltour, and to tyme pair liuis, landis,
heretakis and gudis mouable and immouable, honour & offices, becaus
the kingis grace is haluin and bundin, to defend haly kirk and kirkmen
in thair full actions.

¶ **The kingis**



¶ The kingis grace ordinance for Imprinting of his
actis of parliament. C. I. C. II.



¶ **E I R** Our souerane lord hes ordanit, that the
actis of parliament maid be his pienes, be pu
blish out, to all his realm. And all schir
reiss, stewartis, baillies, pzenchis and bail
lies of burrowis, and vtheris his liegis, may
haue the coppis thair of, and pretend na Ig
nozaunce throu misknowing of the samyn.

¶ **HES ORDANIT** His clerk of registre, to
mak ane auctenty extract and copp, of all the
saidis actis, safar as concernis the commoun
weil, vnder his subscription manuale, to be

Imprinted, be quhat pzentor it sal pleis the said clerk of registre to cheis.
And it sall not be lesun, to ony vther pzentor, to Imprint ye samyn with
in this realme, or without the samyn, or bring hame to be sauld,

for the space of .VI. yeris nixt to cum, vnder the paine of

confiscatioun of ye samyn. ¶ **PROVIDING** Al

ways, that the said pzentor to be chosin be

the said clerk of registre (as said is)


haue our said souerane lordis

speciale licence thairto.

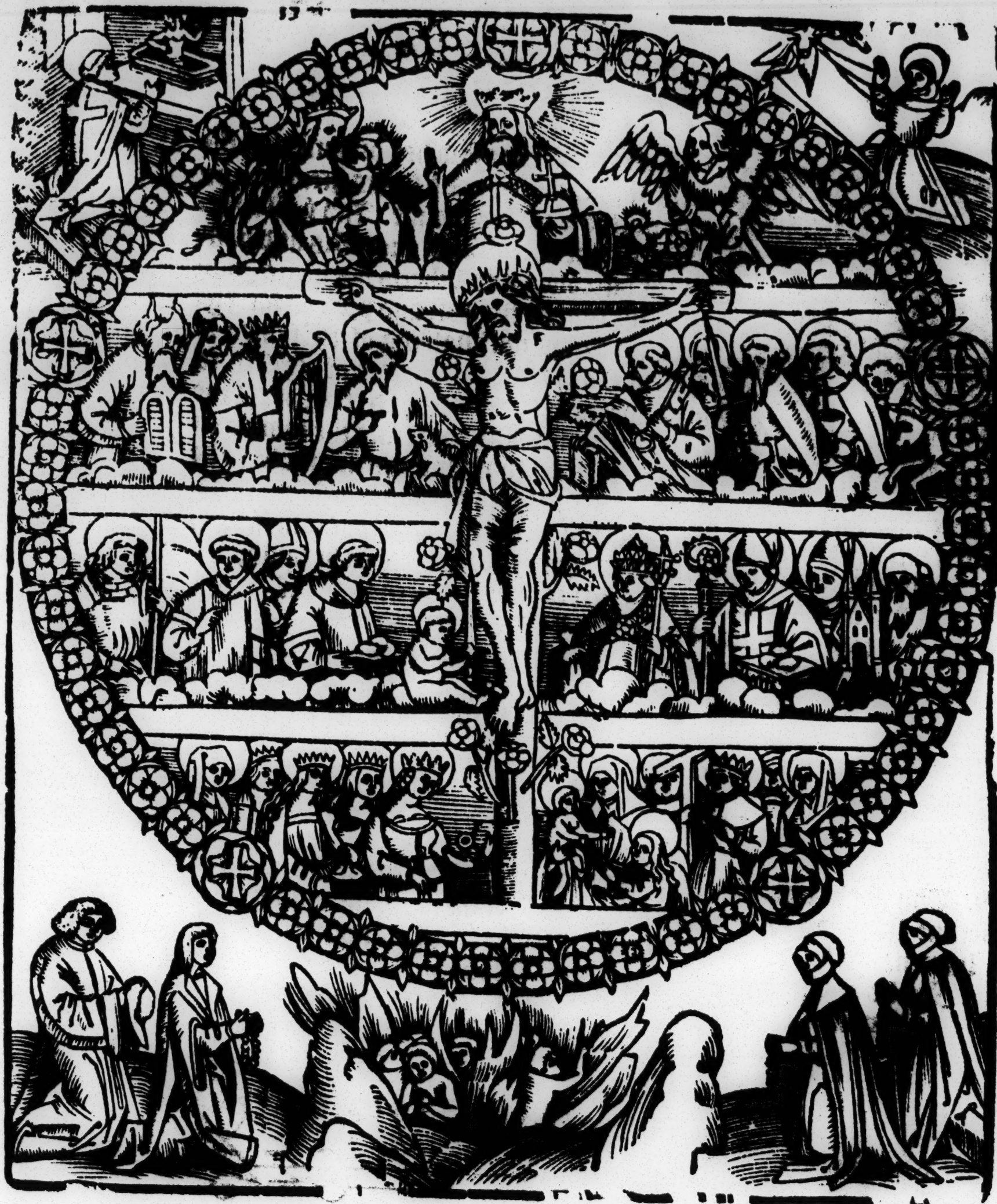
¶ **20**

GOD KEIP THE KING.

¶ **20** Thir at the trew coppis, of the actis of parliament, maid be our so
uerane lord king **IAMES** the fift. Extractit furth of the bukis of par
liament, at comand of the act maid thairupon, be me maister James
Foulis of Colintown, clerk of our said souerane lordis registre,
countale & rollis, vnder my signe & subscription manuale

¶ **Jacobus .foulis** 

¶ Imprinted in Edinburgh, be Thomas Davidson, dwel
ling abone the nether bow, on the northsyde of the
gait, the aucht day of Februar. The year
of god. 1541. yeris.



¶ IMAGO CRUCIFIXI, SEDENTIS AD IUDICIUM.

¶ En ego Iusticie typus, atq; figura, tribunal
Sic ascendo meum, dextra assertoribus alta
Astipulor Veri, quibus hec mea lilia merces.

At si quis contra sentit, demissa sunt arma
In stygios Iubet Ire lacus, gladioq; feriri.

✠ 20 ✠

¶ EDINBURGI, ex ædibus Thomæ Davidson regii impressoris. CVM privilegio.

